

THE STATE OF SOUTH CAROLINA  
In The South Carolina Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of General Sessions  
The Honorable Thomas W. Cooper

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STATE OF SOUTH CAROLINA,                      Respondent

v.

MELEKE D. STEWART,                              Appellant.

APPELLATE CASE NO. 2018-001916

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RECORD ON APPEAL

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**Volume II**

INDEX

Volume I:

Trial Transcript of October 16-18, 2018.....1  
Arrest Warrants, Indictments, Sentence Sheets ..... 513  
Notice of Appeal filed October 23, 2018 by Eric Fox, Esq..... 528  
Notice of Appeal filed October 26, 2018 by Tommy Thomas, Esq..... 531

1           THE COURT: Now, let's deal with attempt. Because  
2 the charge in this case not with the actual intended  
3 crime, but with the attempt to commit a crime, okay. And  
4 I had them pull that one out because that wasn't part of  
5 the question, but I need to answer it while we're out here  
6 together.

7           Now, the attempt to commit a crime, either armed  
8 robbery or robbery. Attempt is the same -- the definition  
9 of attempt is the same. It doesn't matter what the crime  
10 is. I've given you the definition of the crimes. Now,  
11 we're talking about the attempt to commit the crime. The  
12 attempt is an act which is done in partial execution or a  
13 plan to commit a crime, either armed robbery or robbery.

14           There has to be an intent that the act shall be  
15 carried out and some act done not to complete the act, but  
16 in pursuing the act or in partial completion of it. An  
17 attempt is different from preparation. An attempt is  
18 different from planning.

19           It is also different from the intent because you can  
20 plan things and draw them out on a piece of paper and draw  
21 maps or draw diagrams or do research and do all that  
22 stuff, that would be an attempt -- that would be the  
23 preparation, I should say. And the intent can be formed  
24 in your mind at some point in time, I'm going to rob  
25 somebody.

1 I'm going to commit strong armed robbery somewhere.  
2 But the attempt is different from those two things because  
3 the law doesn't punish somebody from just thinking about a  
4 criminal act or planning a criminal act.

5 To bring the attempt law into action, there has to be  
6 some act done, which is done partially to carry out the  
7 act, but it's not completing the act or the crime would be  
8 the completed act, not the attempt to complete it. So  
9 some act which is a part of crime is begun, but it doesn't  
10 reach the conclusion because it's stopped. Somebody might  
11 have stopped it. A person might have abandoned it, chose  
12 not to do it. It would still be an attempt under those  
13 circumstances. Does that make any sense?

14 JURY: (Nods in the affirmative.)

15 THE COURT: Okay. Do y'all want to go back and think  
16 some more?

17 THE JUROR: What is the strong armed?

18 THE COURT: I'm sorry?

19 THE JUROR: What's the strong armed? I think that's  
20 the word that's getting --

21 THE COURT: Okay. You know, that's an unfortunate  
22 vernacular that we use sometimes to distinguish armed  
23 robbery from a strong armed robbery. If it will make you  
24 feel any better just forgetting about the strong armed  
25 robbery part and thinking of robbery and armed robbery,

1 strong arm robbery and robbery are synonymous with each  
2 other in the way that we talk, but I can see how that  
3 would create some problems for you. But if it will help  
4 you, just forgot I ever told you strong armed robbery. I  
5 apologize for it. I'll take it back and I'll never say it  
6 to you again. But strong armed robbery, and I've already  
7 violated that, is robbery. So you've got robbery and  
8 you've got armed robbery, just those two types. Okay.  
9 Thank you all.

10 THE JUROR: Thank you.

11 (Whereupon, the jury left the courtroom at 3:50 p.m.)

12 THE COURT: Any exceptions or objections or requests  
13 for additional charge from the State?

14 MR. DEBUSK: No, sir.

15 THE COURT: The defense?

16 MR. FOX: No, Your Honor.

17 THE COURT: All right. We'll stand aside.

18 (WHEREUPON, a short break was taken.)

19 THE COURT: Folks, we're advised the jury has reached  
20 a verdict. Are both the defense and the State ready to  
21 receive the verdict?

22 MR. DEBUSK: Ready from the State, Your Honor.

23 MR. FOX: Ready, Your Honor.

24 THE COURT: Thank you.

25 Ladies and gentlemen, just a word of slight caution,

1 probably unnecessary, but I always give it in cases like  
2 this. With as much at stake as there is, without  
3 belaboring this point, of course, everyone in this  
4 courtroom has conducted themselves throughout this trial  
5 with dignity and restraint. I expect you to continue to  
6 conduct yourselves, regardless of what the verdict might  
7 be. If you think the verdict turns out something other  
8 than you want it to turn out that you might have some  
9 trouble controlling yourself, I'll give you a chance now  
10 to leave the courtroom. Because if you stay in here, I'm  
11 going to expect you to abide by the same rules we have  
12 abided by throughout this trial.

13 Bring us the jury.

14 (Whereupon, the jury returned to open court with a  
15 verdict at 4:25 p.m.)

16 THE COURT: Mr. Foreman, ladies and gentlemen, have  
17 you reached a verdict?

18 THE FOREMAN: Yes, Your Honor.

19 THE COURT: Is it a unanimous verdict?

20 THE FOREMAN: Yes, Your Honor.

21 THE COURT: Would you pass it forward, please, by the  
22 bailiff. Thank you.

23 Madam Clerk, you may publish the verdict.

24 THE CLERK: The State of South Carolina, County of  
25 Horry, vs. Meleke Da'Shawn Stewart, we, the jury, by

1 unanimous consent find the defendant, Meleke Da'Shawn  
2 Stewart, as to indictment number 2014-GS-26-03682 for  
3 murder, guilty of murder. As to indictment number  
4 2018-GS-26-02255 for attempted armed robbery, guilty of  
5 attempted armed robbery. As to indictment number  
6 2014-GS-26-03681 for possession of a weapon during the  
7 commission of a violent crime, guilty of possession of a  
8 weapon during the commission of a violent crime. Signed  
9 by foreperson Charles Weiss, dated October 18th, 2018.

10 Ladies and gentlemen of the jury, if this is your  
11 verdict, so signify by raising your right hand.

12 (All indicated affirmatively.)

13 Thank you. The record will reflect that all 12  
14 jurors are recorded in the verdict.

15 Mr. Fox, does the defendant desire polling of the  
16 jury?

17 MR. FOX: I would ask that, Your Honor.

18 THE COURT: All right. Y'all can be seated.

19 Ladies and gentlemen, the clerk is now going to poll  
20 you. That means she is going to call your name -- or call  
21 your number. As your number is called, if you will please  
22 stand in place where you are. She will ask you two  
23 questions. Were these your verdicts and are they still  
24 your verdicts? And if you'll give whatever the  
25 appropriate answer happens to be.

1 Madam clerk.

2 THE CLERK: No. 384, is this your verdict?

3 JUROR: Yes.

4 THE CLERK: Is it still your verdict?

5 JUROR: Yes.

6 THE CLERK: No. 176, is this your verdict?

7 JUROR: Yes.

8 THE CLERK: Is it still your verdict?

9 JUROR: Yes.

10 THE CLERK: No. 299, is this your verdict?

11 JUROR: Yes.

12 THE CLERK: Is it still your verdict?

13 JUROR: Yes.

14 THE CLERK: No. 6, is this your verdict?

15 JUROR: Yes.

16 THE CLERK: Is it still your verdict?

17 JUROR: Yes.

18 THE CLERK: No. 239, is this your verdict?

19 JUROR: Yes.

20 THE CLERK: Is it still your verdict?

21 JUROR: Yes.

22 THE CLERK: No. 192, is this your verdict?

23 JUROR: Yes.

24 THE CLERK: Is it still your verdict?

25 JUROR: Yes.

1 THE CLERK: No. 253, is this your verdict?  
2 JUROR: Yes.  
3 THE CLERK: Is it still your verdict?  
4 JUROR: Yes.  
5 THE CLERK: No. 156, is this your verdict?  
6 JUROR: Yes.  
7 THE CLERK: Is it still your verdict?  
8 JUROR: Yes.  
9 THE CLERK: No. 49, is this your verdict?  
10 JUROR: Yes.  
11 THE CLERK: Is it still your verdict?  
12 JUROR: Yes.  
13 THE CLERK: No. 159, is this your verdict?  
14 JUROR: Yes.  
15 THE CLERK: Is it still your verdict?  
16 JUROR: Yes.  
17 THE CLERK: No. 259, is this your verdict?  
18 JUROR: Yes.  
19 THE CLERK: Is it still your verdict?  
20 JUROR: Yes.  
21 THE CLERK: No. 65, is this your verdict?  
22 JUROR: Yes.  
23 THE CLERK: Is it still your verdict?  
24 JUROR: Yes.  
25 THE CLERK: The jury has been polled, Your Honor.

1 THE COURT: Is there anything further of the jury  
2 before the jury is dismissed, Mr. Fox?

3 MR. FOX: No, Your Honor.

4 THE COURT: Thank you.

5 Ladies and gentlemen, I'm going now to be able to  
6 dismiss you from any further involvement in the trial of  
7 this case. Before I do, I want to thank you. We have  
8 some other matters we need to take care of out here, of  
9 course. We have motions. We have the matter of  
10 sentencing to take care of. But those matters won't  
11 involve you unless you want to come around and come to the  
12 back seat and watch them. You don't have to sit there  
13 anymore. So I'm going to let you go with a few parting  
14 instructions.

15 First of all, let me tell you that you're now free to  
16 talk with anybody that you want to about this case. The  
17 instructions that I have given you earlier about not  
18 talking about it no longer apply for obvious reasons. So  
19 you're free to talk with anybody about this case if you  
20 want to talk with them about it.

21 On the other hand, if somebody tries to talk to you  
22 about this case and you do not care to talk about it, just  
23 tell them that you don't care to talk about it. That  
24 should end the discussion right there. I feel confident  
25 it will. If for some reason, however, it doesn't, if they

1 persist, please find out who they are, let the clerk know  
2 and we will attend to that matter for you.

3 Ladies and gentlemen, I never commend or condemn  
4 juries for their verdicts that they reach. I comment on  
5 the quality of your service as I have done throughout.  
6 Clearly, you have conducted yourself in the way that we  
7 ask good jurors like you to conduct yourselves. And we  
8 apologize for the fact that we had to introduce some of  
9 you this week to a side of life that you have not been  
10 exposed to before. And we're glad that you've never been  
11 exposed to it before and we're sorry that we had to expose  
12 it to you this time.

13 To the folks who do this on both sides of this  
14 courtroom in the front, all of us, the court personnel,  
15 unfortunately, this is the sort of thing that we do. It's  
16 a necessary part of what we do, but we could not do it  
17 without folks like you committing yourselves to help us do  
18 whatever we have to do in this court, so we thank you for  
19 that.

20 You don't have to answer to anybody in the world for  
21 the decision that you make except to yourself. You only  
22 have to answer to your own conscience. You have no need  
23 fear your conscience in this case.

24 I hope that you have gained by your service this week  
25 a greater appreciation of how important folks like you

1 really are to our process. When I talked to you on  
2 Monday, I wasn't just blowing smoke. I wasn't just giving  
3 a speil that I've made up somehow or read somewhere else  
4 because I thought it would make you feel good for having  
5 to sit around for two or three hours and wonder what was  
6 going on. I said it because it's true. And you have seen  
7 throughout your service this week just how true it  
8 actually is.

9 I hope that your service this week has submitted in  
10 your mind the importance of good folks like you to involve  
11 yourselves in this particular process like this. We thank  
12 you for that.

13 You're free go. You'll get a check in the mail in, I  
14 guess, a couple of weeks whenever they go out. It's not  
15 going to begin to pay you for the time that you have spent  
16 with us and for the emotional involvement that you've  
17 given to this particular case, so I ask that you add the  
18 genuine gratitude of all of us who make up the court  
19 system to that small check. I hope you'll be paid in some  
20 small way then for what you've done this week.

21 If you need a juror slip to explain to your spouse or  
22 anybody else who need to know where you've been all week,  
23 you can get one from the clerk's office. We'll get you  
24 off hook that regard.

25 Have a safe trip home. It's been a pleasure working

1 with you this week, ladies and gentlemen. You're all free  
2 to go. Thank you.

3 (Whereupon, the jury left the courtroom at 4:32 p.m.)

4 THE COURT: Mr. Fox, Mr. Hiller, I'll be glad to note  
5 the renewal of prior motions and the renewal of rulings  
6 and I'll be glad to hear any additional motions you'd like  
7 to make.

8 MR. HILLER: Thank you, Your Honor. We'd make a  
9 motion at this time to set aside the verdict of the jury  
10 in this matter and give the defendant a new trial. That  
11 motion would be based on all pretrial motions argued at  
12 the directed verdict stage, in addition the fact that the  
13 jury was not instructed on the charge of petit larceny or  
14 simple larceny.

15 THE COURT: Thank you, Mr. Hiller.

16 This was a quintessential jury issue, as I suggested  
17 when I denied the Rule 19 motions, and I simply state that  
18 again.

19 The evidence was clearly before the jury. As to what  
20 happened from Mr. Smith's own -- excuse me, Mr. Stewart's  
21 own mouth. The question as to whether or not the jury  
22 should have been allowed to hear that, of course, is a  
23 matter that I have decided preliminary that I realize that  
24 I'm not the last word in cases like this.

25 An appellate court will address that to see if they

1 should have heard those things. But having those things,  
2 as my prior rulings have indicated, the jury's verdict was  
3 completely within the parameters of evidence offered, so  
4 the motions are respectfully denied.

5 MR. HILLER: Thank you.

6 THE COURT: Is the State ready to proceed to the  
7 matter of sentencing?

8 MR. DEBUSK: Yes, Your Honor.

9 THE COURT: Is the defense ready?

10 MR. FOX: Yes, Your Honor.

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

12 THE COURT: Yes, sir.

13 MR. DEBUSK: Thank you, Your Honor.

14 THE COURT: Mr. DeBusk, I'll be glad to hear from the  
15 State.

16 MR. DEBUSK: Thank you, Your Honor. The defendant at  
17 the time of this crime was 18 years old. He had no adult  
18 record or juvenile record even, Your Honor.

19 The family of Alton Daniels have been present in the  
20 court throughout the week for this trial. The impact has  
21 been great. Alton was just 34 years old when he was  
22 killed, not really out living a life that would make  
23 someone in danger of being killed, Your Honor. He was  
24 living a good life. This came out of nowhere. The  
25 choices of the defendant is what caused it. Thank you.

1           THE COURT: Thank you, sir. Do any of the victim's  
2 family wish to be heard?

3           MR. DEBUSK: No, Your Honor, they do not.

4           THE COURT: All right. Thank you.

5           Mr. Fox, Mr. Hiller, gentlemen, I'll be glad to hear  
6 from you or Mr. Stewart or anyone on his behalf.

7           MR. FOX: Thank you, Your Honor. You've heard a  
8 great deal, obviously, about Mr. Stewart. His very young  
9 age at the time. It's now been four years. The things I  
10 will tell you about, you've heard about his background.  
11 Your Honor is familiar with many things about him. The  
12 things I would add to that are, Judge, this happened  
13 about four-and-a-half years ago, not quite.

14           Mr. Stewart spent 77 days, not quite -- well, a  
15 little over two months at J. Rubin Long, then was able to  
16 make bond. The condition of bond was home detention with  
17 GPS monitoring. Mr. Stewart has lived all that time up in  
18 Rock Hill as he has -- in fact, the reason he's gone back  
19 home every night. He has driven back and forth every  
20 night this week, because of that requirement.

21           He's got to get back and satisfy the requirement of  
22 home detention and GPS. He's come for every court  
23 appearance. He's not had -- I've not had one single call,  
24 complaint, anything from home detention or the solicitor,  
25 anything in four years about his behavior, about his

1 failure to abide by the terms and conditions, including  
2 payments.

3 And normally, Judge, it wouldn't be any kind of issue  
4 except because of the extreme amount of time that he's  
5 been on, my calculations are he's -- and this is his  
6 money. This isn't the family money. Around \$20,000. I  
7 don't say that as any kind of equivalence for the life of  
8 Mr. Daniels whatsoever, but only to point out that money  
9 came from Mr. Stewart. He has worked a series of jobs.  
10 He's worked in construction. He worked at a Subway place.  
11 He's worked at a nursery. He's worked any job that he  
12 needed to work to pay that bill and to support his family.

13 He had knee surgery at one point that knocked him out  
14 a few months, but he still managed to keep up. He's not  
15 been -- aside from his home detention, Judge, he's not  
16 been in one spot of trouble since then. And I think that  
17 is very important.

18 My father is a clinical psychologist and he told me  
19 there's really no good way to predict future behavior, but  
20 the single best way is past behavior. Obviously, this  
21 event would maybe lead someone to think Mr. Stewart is  
22 going to be a danger in the future. I see absolutely  
23 nothing in his background.

24 Even in the circumstances of this case and in what  
25 he's done in a very long period we've established, you

1 know, he's just not going to be a problem to anybody.

2 Your Honor is very familiar with -- I don't have to  
3 tell you about the possible punishment. I really do think  
4 that this calls for, under all the circumstances, the 30  
5 year minimum rather than something for extreme. That's a  
6 day for day. That's 30 years of his life as Your Honor  
7 well knows. And I think under all circumstances,  
8 that's -- that would be justice in this case. I think  
9 that will -- there is no number that can ever bring peace  
10 to the Daniels family. It wouldn't matter what it is.  
11 They'll never have that. But I think that serves the  
12 purposes of punishment, of deterrence and I think it very  
13 much taking into account his capabilities, his behavior  
14 before this happened and what he's done since.

15 Judge, his girlfriend, his grandparents, his mother  
16 have been here all week and they've been with him all  
17 along. He has a family this has affected greatly as well.  
18 They didn't choose to be in this situation, as well.

19 I don't know whether Meleke wishes to address you or  
20 not.

21 THE COURT: I'll be glad to hear from you, Mr.  
22 Stewart, if you wish to say anything.

23 MR. FOX: Judge, the last thing I do want to point  
24 out -- and I usually actually tell my clients if there's  
25 any apologies or anything you want to say, it's probably

1 best through me because sometimes it's not received the  
2 way that it's intended.

3 You saw in Meleke's statement, he expressed even at  
4 that time his regret, his remorse and how it impacted  
5 other people, certainly, himself, that is a life, but he  
6 also meant my family, the Daniels family. He specifically  
7 said that. You know, this has really hurt a lot of other  
8 people. I think it showed a lot of insight and maturity  
9 for an 18-year-old, and he's been that way the whole time  
10 I've dealt with him. And that's something he continues to  
11 feel, that regret, remorse and guilt over the actions that  
12 brought him here today. Thank you.

13 THE COURT: Thank you. How much time incarcerated,  
14 did you say?

15 MR. FOX: Seventy-seven days at J. Rubin. 1,507 on a  
16 monitor. And we would request that time, Your Honor.  
17 There is a statute. It's a number I failed to write down,  
18 but there is a statute now that makes that discretionary  
19 with Your Honor.

20 THE COURT: I understand.

21 MR. FOX: And I would request that time, as well.

22 THE COURT: Thank you.

23 Thank you for your patience, folks. I have no words  
24 that can adequately address for both the victim's family  
25 or Mr. Stewart's family the tragedy of this situation. I

1 need not, you all have lived it. You known it far better  
2 than I.

3 I will not insult you trying to put my own words to  
4 it. Suffice it to say one life has been taken, one life  
5 has been ruined. Everyone is regretful and regrettable  
6 about the circumstances that bring us here today.

7 Mr. Stewart, please stand. On the charge of  
8 possession of a firearm during the commission of a violent  
9 crime, the sentence is you be committed to the State  
10 Department of Corrections for a period of five years. On  
11 the charge of attempted armed robbery, you are to be  
12 committed to the Department of Corrections for a period of  
13 20 years. on the charge of murder, you are to be committed  
14 to the State Department of Corrections for a period of 30  
15 years. These sentences run concurrent to each other.  
16 You'll get credit for 1584 days of confinement, 77 days  
17 jail time, 1507 home detention with electronic monitoring.  
18 All are concurrent with credit for time served. Thank  
19 you. Good luck to you.

20 MR. HILLER: Thank you, Your Honor.

21 (Whereupon, the proceedings were concluded.)  
22  
23  
24  
25



**WITNESSES**

W Kitelinger, Myrtle Beach Police Department

RENEE M. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

**ARREST WARRANT NUMBER**

2014A2620601408  
CDR: 0116 16-03-0010, 0020  
DOA: 6/19/2014

**ACTION OF GRAND JURY**

**TRUE BILL**

Foreperson of Grand Jury

Date: SEP 11 2014

**VERDICT**

Foreperson of Petit Jury  
Date:

DOCKET NO. 2014-GS-26- 03682

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

Nancy Livesay

14H02899

**COURT OF GENERAL SESSIONS**

**SEPTEMBER, 2014 TERM**

**THE STATE**

vs.

**Meleke Da'Shawn Stewart  
/ M**

Annette Ln  
Chester, SC 29706-5221  
DOB:  
SSN:

**ATTORNEY: William I. Diggs**

**Indictment for**

**MURDER**

**Jimmy A. Richardson, II, Solicitor**

**ORIGINAL**

HORRY COUNTY

2014 SEP 15 PM 1:53

MELANIE HUGGINS-WARD  
CLERK OF COURT

DATE RECEIVED FROM

GRAND JURY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT

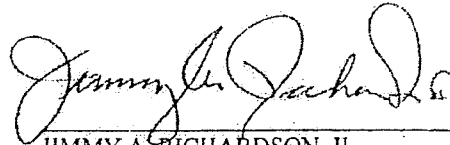
At a Court of General Sessions, convened on SEPTEMBER 11, 2014, the Grand Jurors of Horry County present upon their oath:

MURDER

CDR: 0116 16-03-0010,0020

That Meleke Da'Shawn Stewart did in Horry County, on or about June 16, 2014, willfully, feloniously, and intentionally kill the victim, Alton Antonio Daniels, with malice aforethought, either express or implied, by means of shooting, and the victim did die as a proximate result thereof on or about June 16, 2014 in Horry County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

CELTIFIED COPY

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
)

IN THE COURT OF GENERAL SESSIONS  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )  
-VS- )  
)

CERTIFICATE OF REPRESENTATION  
(APPOINTING AS COUNSEL)

MELEKE STEWART

**ERIC FOX**

DEFENDANT )  
\_\_\_\_\_ )

FILE NO: 26A14-00001661

FILED  
HORRY COUNTY  
MELANIE HUGGINS-WEARD  
CLERK OF COURT  
2014 OCT 31 PM 3:26

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

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 25th day of June, 2014, regarding the charge(s) of:

2014A2620601408 Murder / Murder

2014A2620601409 Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

The Defendant's Counsel is **Eric Fox**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.

ORRIE E. WEST  
FIFTEENTH CIRCUIT  
PUBLIC DEFENDER

CERTIFIED COPY

MELANIE HUGGINS-WEARD  
CLERK OF COURT  
HORRY COUNTY, SC  
CONWAY, SC  
DATED: October 30, 2014

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )  
VS )  
MELEKE STEWART )  
DEFENDANT )

IN THE COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT

SUPPLEMENTAL DISCOVERY MOTION

FILE NO: 26A14-00001661

BY: ERIC FOX, PUBLIC DEFENDER  
TO: NANCY LIVESAY, ASSISTANT SOLICITOR

**CHARGES :**

2014A2620601408 Murder / Murder

2014A2620601409 Weapons / Poss. weapon during violent crime, if not also  
sentenced to life without parole or death

Now comes the Defendant, MELEKE STEWART, by and through his Attorney, ERIC FOX, Public Defender, who moves before this Court pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure requesting additional discovery.

This information is further requested pursuant to Brady vs. Maryland, 373 U.S. 83, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs. Agurs, 427 U.S. 97, 49 L. Ed. 2d 342, 96 S. Ct. 2392 1976, State vs. Mixon, 274 S.E. 2nd 406 (1981). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

The Defendant was arrested on: June 19, 2014

Notice of Representation was filed on his behalf on: June 25, 2014

A Brady Motion was filed on his behalf on: June 25, 2014

CERTIFIED COPY

THREE  
CLERK  
HORRY COUNTY, SC

2014 SEP 18 AM 10:53  
FOR FILING  
CLERK OF COURT  
HORRY COUNTY, SC

Some discovery was received on: January 20, 2015

The Defendant hereby requests:

- 1. Cell Phone Records for 980-228-7541
- 2. Cell Phone Records for 803-899-2076
- 3. All records obtained pursuant to the search warrant dated October 18, 2017

WHEREFORE, Defendant prays:

- (a) That the Solicitor be ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED

*Eric Fox*

ERIC FOX  
PUBLIC DEFENDER  
HORRY COUNTY PUBLIC DEFENDER  
ATTORNEY FOR DEFENDANT

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

2018 SEP 19 AM 9:45

FILED  
HORRY COUNTY

DATED: September 19, 2018  
CONWAY, SOUTH CAROLINA

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

CERTIFIED COPY

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )  
VS )  
MELEKE STEWART )  
DEFENDANT )

IN THE COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT

SUPPLEMENTAL DISCOVERY MOTION

FILE NO: 26A14-00001661

BY: ERIC FOX, PUBLIC DEFENDER  
TO: NANCY LIVESAY, ASSISTANT SOLICITOR

**CHARGES :**

2014A2620601408 Murder / Murder

2014A2620601409 Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Now comes the Defendant, MELEKE STEWART, by and through his Attorney, ERIC FOX, Public Defender, who moves before this Court pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure requesting additional discovery.

This information is further requested pursuant to Brady vs. Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs. Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs. Mixon, 274 S.E. 2nd 406 (1981). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

The Defendant was arrested on: June 19, 2014

Notice of Representation was filed on his behalf on: June 30, 2014

A Brady Motion was filed on his behalf on: June 30, 2014

FILED  
HORRY COUNTY  
2015 APR 14 AM 9:48  
MELANIE HUGGINS-WARD  
CLERK OF COURT

CERTIFIED COPY

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

Some discovery was received on: January 15, 2015

FILED  
HORRY COUNTY  
2015 APR 14 AM 8:48  
MELANIE HUGGINS-WARD  
CLERK OF COURT

The Defendant hereby requests:

**Autopsy report**

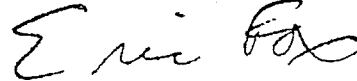
WHEREFORE, Defendant prays:

(a) That the Solicitor be ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.

(b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.

(c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



ERIC FOX  
PUBLIC DEFENDER  
HORRY COUNTY PUBLIC DEFENDER  
ATTORNEY FOR DEFENDANT

DATED: April 14, 2015  
CONWAY, SOUTH CAROLINA

RENEE N. EIDSON  
CLERK OF COURT  
HORRY COUNTY

CERTIFIED COPY

**WITNESSES**

W Kitelinger Myrtle Beach Police Department

DOCKET NO. 2014-GS-26- 03681

**The State of South Carolina**

**County of Horry**

Nancy Livesay

14H02899

**COURT OF GENERAL SESSIONS**

**SEPTEMBER, 2014 TERM**

FILED  
HORRY COUNTY

2014 SEP 15 PM 1:53

MELANIE HUBBINS-WARD  
CLERK OF COURT

DATE RECEIVED FROM  
GRAND JURY

**ARREST WARRANT NUMBER**

2014A2620601409

CDR: 0549 16-23-0490

DOA: 6/19/2014

**THE STATE**

**vs.**

**ACTION OF GRAND JURY**

**TRUE BILL**

**Meleke Da'Shawn Stewart**

**/ M**

**Annette Ln**

**Chester, SC 29706-5221**

**DOB: '**

**SSN: ---**

**ATTORNEY: William I. Diggs**

*Foreperson of Grand Jury*

*Date: SEP 11 2014*

**Indictment for**

**POSSESSION OF A WEAPON DURING THE  
COMMISSION OF A VIOLENT CRIME**

**Jimmy A. Richardson, II, Solicitor**

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

**ORIGINAL**

CERTIFIED COPY

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

INDICTMENT

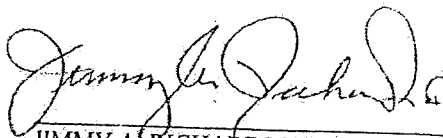
At a Court of General Sessions, convened on SEPTEMBER 11, 2014, the Grand Jurors of Horry County present upon their oath:

POSSESSION OF A WEAPON DURING THE COMMISSION  
OF A VIOLENT CRIME

CDR: 0549 16-23-0490

That Meleke Da'Shawn Stewart did in Horry County, on or about June 16, 2014, possess a firearm, or visibly display what appeared to be a firearm, or visibly displayed a knife, during the commission or attempted commission of a violent crime, in violation of Section 16-23-0490, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

CLERK OF COURT

ROBERT ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

WITNESSES

W Kitelinger Myrtle Beach Police Department

Michael Green

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

ARREST WARRANT NUMBER

2018DI2600179

CDR: 0026 16-11-0330(B)

DOA: 6/19/2014

ACTION OF GRAND JURY

TRUE BILL

Drew Larsen

Foreperson of Grand Jury  
Date: MAR 28 2018

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 18GS2602255

The State of South Carolina

County of Horry

Nancy Livesay

14H02899

COURT OF GENERAL SESSIONS

March, 2018 TERM

THE STATE

vs.

Meleke Da'Shawn Stewart

/ M

... Cool Creek Dr  
Rock Hill, SC 29732

DOB:

SSN: -----

ATTORNEY: J. Eric Fox

Indictment for

Attempted Armed Robbery

Jimmy A. Richardson, II, Solicitor

ORIGINAL

FILED  
HORRY COUNTY  
2018 APR -3 AM 9:05  
RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC  
DATE RECEIVED FROM  
GRAND JURY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Horry )

INDICTMENT

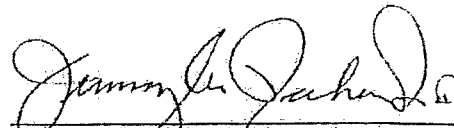
At a Court of General Sessions, convened on March 28, 2018, the Grand Jurors of Horry County present upon their oath:

ATTEMPTED ARMED ROBBERY

CDR: 0026 16-11-0330(B)

That Meleke Da'Shawn Stewart did, along with co-defendants in Horry County on or about June 16, 2014, while armed with a deadly weapon, attempt to take and carry away the personal property from or in the immediate presence of Alton Daniels (DECEASED) with intent to deprive him/her of possession by use of force, threats, or intimidation, in violation of Section 16-11-0330(B), S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

100-710

CERTIFIED COPY

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

COUNTY OF Horry
STATE VS.
Meleke Da'Shawn Stewart
AKA:
Race: Sex: M Age: 22
DOB: 05-18- SS#:
Address: Cool Creek Dr
City, State, Zip: Rock Hill, SC 29732
DL#: 102940010 SID#:

INDICTMENT/CASE#: 2014GS2603682
A/W#: 2014A2620601408
Date of Offense: 6/16/2014
S.C. Code § : 16-03-0010, 0020
CDR Code #: 0116

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Murder (30 YEARS TO LIFE)

CONVICTED OF or PLEADS

in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45
w/minor 1st or Lewd. Act)

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

ATTEST: Livesay, Nancy SCB75159 Defendant Fox, J. Eric SCB15123
George DeBush SC Bar# Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 30 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: 10/18/18

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:
Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211(A)(1) (Conv. Surcharge) \$100.00, §14-1-211(A)(2) (DUI Surcharge) \$100.00, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso (Public Def/Probation) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-114(BUI Breath Test Fee) \$50, §56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$3.75, TOTAL \$28.75

Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ 25.00 beginning 11/18/2014
\$ paid to Public Defender Fund
Other:

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

Clerk of Court/ Deputy Clerk: Renee N. Ellis
Court Reporter: Karen Ambroziak

Presiding Judge: [Signature]
Judge Code: 054
Sentence Date: 10/18/18

COUNTY OF Horry 5 2 5  
STATE VS.

Meleke Da'Shawn Stewart

AKA:

Race: Sex: M Age: 22

DOB: 05-18 SS#:

Address: Cool Creek Dr

City, State, Zip: Rock Hill, SC 29732

DL#: 102940010 SID#:

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was  
TO: Attempted Armed Robbery (0-20 years)

INDICTMENT/CASE#: 2018GS2602255

A/W#: 2018DI2600179

Date of Offense: 6/16/2014

S.C. Code § : 16-11-0330(B)

CDR Code #: 0026

SENTENCE SHEET

CONVICTED OF or  PLEADS

in violation of § 16-11-0330(B) of the S.C. Code of Laws, bearing CDR Code # 0026

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

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

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

ATTEST: 9/18/18

SCB75159

Livesay, Nancy  
George De Busk

SC Bar#

Defendant

Fox, J. Eric  
Attorney for Defendant

SCB15123  
SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
for a determinate term of 710 days/months/years or  under the Youthful Offender Act not to exceed 1 years  
and/or to pay a fine of \$ 1587.95, provided that upon the service of 1507 days/months/years and/or payment  
of \$ 1507.95; plus costs and assessments as applicable\*; the balance is suspended with probation for 10/18/18  
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: 10/18/18

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic  
Violence ) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered PTUP

Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_ days/hours Public Service Employment

Payment Terms: \_\_\_\_\_

Set by SCDPPPS \_\_\_\_\_

Recipient: \_\_\_\_\_

*Fine:		\$
§14-1-206 (Assessments 107.5 %)		\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$100.00
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
Proviso (Public Def/Probation)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$3.75
<b>TOTAL</b>		<b>\$128.75</b>

Obtain GED

Attend Voc. Rehab. or Job Corp. \_\_\_\_\_

May serve W/E beginning \_\_\_\_\_

Substance Abuse Counseling

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly  
pmts. of \$ 25.00 beginning 11/18/2018

\$ \_\_\_\_\_ paid to Public Defender Fund

Other: \_\_\_\_\_

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

Clerk of Court/ Deputy Clerk

Renee N. Elvis

Court Reporter:

Naren Ambrozjak

Presiding Judge

Judge Code: \_\_\_\_\_

Sentence Date: 10/18/18

FILED  
Horry County  
OCT 18 11 5:04  
CLERK OF COURT

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
 )  
 COUNTY OF Horry )  
 )  
 STATE OF SOUTH CAROLINA )  
 )  
 VS. ) VERDICT FORM  
 )  
 MELEKE DA'SHAWN STEWART )  
 DEFENDANT )

We the Jury by unanimous consent, find the Defendant, Meleke Da'Shawn Stewart:

As to Indictment Number 2014GS2603682 – Murder

- 1. Guilty of Murder
- Or
- 2. Guilty of Voluntary Manslaughter
- Or
- 3. Not Guilty

As to Indictment Number 2018GS2602255 – Attempted Armed Robbery:

- 1. Guilty of Attempted Armed Robbery
- Or
- 2. Guilty of Attempted Strong Arm Robbery
- Or
- 3. Not Guilty

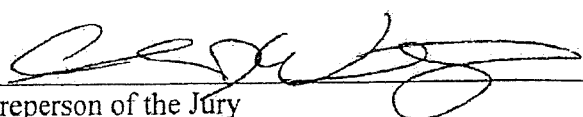
As to Indictment Number 2014GS2603681 – Possession of a Weapon During the Commission of a Violent Crime:

- 1. Guilty of Possession of a Weapon During the Commission of a Violent Crime
- Or
- 2. Not Guilty

FILED  
 Horry County  
 2018 OCT 18 PM 5:04  
 RENEE M. ELMIS  
 CLERK OF COURT  
 Horry County, SC

This 18<sup>th</sup> day of October, 2018.

CERTIFIED COPY  
 RENEE M. ELMIS  
 CLERK OF COURT  
 Horry County, SC

  
 \_\_\_\_\_  
 Foreperson of the Jury

Conway, South Carolina

COUNTY OF Horry
STATE VS. Meleke Da'Shawn Stewart
AKA:
Race: Sex: M Age: 22
DOB: 05-18- SS#:
Address: Annette Ln
City, State, Zip: Chester, SC 29706-5221
DL#: 102940010 SID#:

INDICTMENT/CASE#: 2014GS2603681
A/W#: 2014A2620601409
Date of Offense: 6/16/2014
S.C. Code § 16-23-0490
CDR Code #: 0549

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: Possession of a Firearm During Commission of a Violent Crime (UP TO 5 YEARS)

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

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

ATTEST: Livesay, Nancy SCB75159 Defendant Fox, J. Eric SCB15123
George DeBjork SC Bar# Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 5 days/months/years or under the Youthful Offender Act not to exceed 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: 10/18/18

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211(A)(1) (Conv. Surcharge) \$100, §14-1-211(A)(2) (DUI Surcharge) \$100, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso (Public Def/Probation) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-14 (BUI Breath Test Fee) \$50, §56-5-2912(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$3.75. TOTAL \$28.75

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 \$ 25.00 beginning 11/18/2018

\$ paid to Public Defender Fund

Other:

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

Clerk of Court/ Deputy Clerk: Renee N. Elvis
Court Reporter: Karen Ambrozia

Presiding Judge: [Signature]
Judge Code: 054
Sentence Date: 10/18/18

# Fifteenth Circuit Public Defender

Horry & Georgetown Counties

Horry  
*Edward "Ed" Chrisco*  
 Chief Public Defender  
 203 Laurel Street  
 P.O. Box 1666  
 Conway, SC 29526

Georgetown  
*Ronald Hazzard*  
 Senior Trial Attorney  
 401 Cleland Street  
 P.O. Box 2898  
 Georgetown, SC 29440

*Orrie E. West*  
 Circuit Public Defender

Tel: 843 - 915 - 5385  
 Fax: 843 - 915 - 6385

[www.hgcdefender.org](http://www.hgcdefender.org)

Tel: 843 - 545 - 3671  
 Fax: 843 - 545 - 3673

October 23, 2018

Meleke Stewart  
 SCDC # :N/A  
 J. Ruben Long Detention Center  
 4150 J. Ruben Long Avenue  
 Conway, SC 29526

RE: STATE OF SOUTH CAROLINA VS. MELEKE STEWART  
 CASE NO: 2014GS2603681, 2014GS263682, 2018GS2602255

Dear Meleke Stewart :

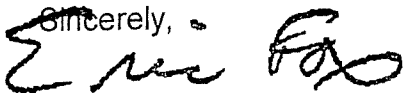
Enclosed please find a copy of a Notice of Appeal in your criminal case. Also enclosed are the following:

1. Proof of Service of the Notice of Appeal on the Respondent.
2. A copy of the Order(s)/ Sentence Sheet(s) which is/are to be challenged on appeal.

The Court Reporter was Karen Ambroziak

If you have any questions concerning this matter please contact me.

Sincerely,



Eric Fox  
 Horry County Public Defender  
 Post Office Box 1666  
 Conway, South Carolina, 29526  
 Phone: 843-915-5385

5 2 9  
STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM HORRY COUNTY  
Court of General Sessions  
Thomas W. Cooper, Jr., Circuit Court Judge

CASE NO: 2014GS2603681, 2014GS263682, 2018GS2602255

The State, ..... Respondent,

V.

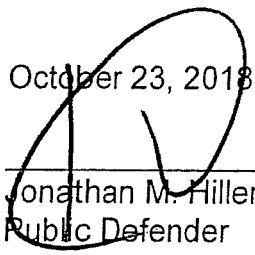
Meleke Stewart, ..... Appellant.

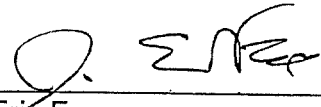
NOTICE OF APPEAL

FILED  
HORRY COUNTY  
2018 OCT 23 AM 11:34  
RENEEN ELYS  
CLERK OF COURT  
HORRY COUNTY, SC

Meleke Stewart, appeals the conviction and sentence in this case. The sentence was imposed by the Honorable Thomas W. Cooper, Jr., on October 18, 2018.

October 23, 2018

  
Jonathan M. Hiller  
Public Defender  
Horry County Public Defender Office  
Post Office Box 1666  
Conway, SC 29528  
843-915-5385  
Attorney for Appellant

  
Eric Fox  
Public Defender  
Horry County Public Defender Office  
Post Office Box 1666  
Conway, SC 29528  
843-915-5385  
Attorney for Appellant

Other Counsel of Record

George Debusk  
Solicitor  
Post Office Box 1276  
Conway, SC 29528  
843-915-5460  
Attorney for Respondent

CERTIFIED COPY

STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM HORRY COUNTY  
Court of General Sessions  
Thomas W. Cooper, Jr. , Circuit Court Judge

CASE NO: 2014GS263682, 2014GS263682, 2018GS2602255

The State, ..... Respondent

V.

Meleke Stewart , ..... Appellant.

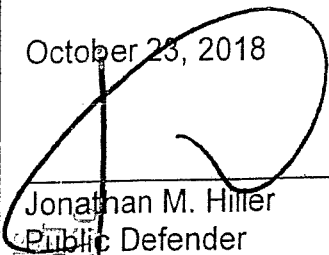
FILED  
HORRY COUNTY  
2018 OCT 23 AM 11:34  
RENEE M. EYVIS  
CLERK OF COURT  
HORRY COUNTY, SC

PROOF OF SERVICE

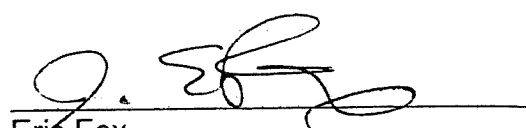
I certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of the Notice in the United States Mail, postage prepaid, on October 23, 2018, addressed to the attorney of record:

George Debusk  
Solicitor  
Post Office Box 1276  
Conway, South Carolina, 29528  
Attorney For Respondent

October 23, 2018



Jonathan M. Hiller  
Public Defender  
Horry County Public Defender Office  
Post Office Box 1666  
Conway, SC 29528  
843-915-5385  
Attorney for Appellant



Eric Fox  
Public Defender  
Horry County Public Defender Office  
Post Office Box 1666  
Conway, SC 29528  
843-915-5385  
Attorney for Appellant

CERTIFIED COPY

FILED  
HORRY COUNTY  
2018 OCT 23 AM 11:34  
RENEE M. EYVIS  
CLERK OF COURT  
HORRY COUNTY, SC

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of General Sessions

Thomas W. Cooper, Jr., Circuit Court Judge

Case No.: 2018-GS-26-2255  
2014-GS26-3682  
2014-GS-26-3681

The State,

v.

Meleke Da'Shawn Stewart,

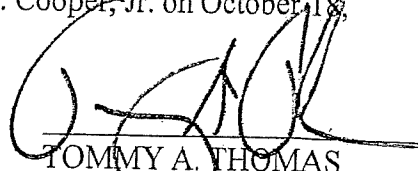
Respondent

Appellant.

FILED  
HORRY COUNTY  
2018 OCT 26 AM 8:32  
RENEE M. EVANS  
CLERK OF COURT  
HORRY COUNTY, SC

NOTICE OF APPEAL

Meleke Da'Shawn Stewart appeals his conviction and sentencing in this case. The sentence was imposed by the Honorable Thomas W. Cooper, Jr. on October 18, 2018.



TOMMY A. THOMAS  
Attorney for Appellant  
P.O. Box 88  
Irmo, SC 29063  
(803) 732-5507

Other Counsel of Record:  
George Henry DeBusk, Jr., Esq.  
P.O. Box 1276  
Conway, SC 29526  
Attorney for Respondent

October 23, 2018

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of General Sessions

Thomas W. Cooper, Jr., Circuit Court Judge

Case No.: 2018-GS-26-2255  
2014-GS26-3682  
2014-GS-26-3681

FILED  
HORRY COUNTY  
2018 OCT 26 AM 8:33  
REBECCAH ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

The State,

Respondent,

v.

Meleke Da'Shawn Stewart,

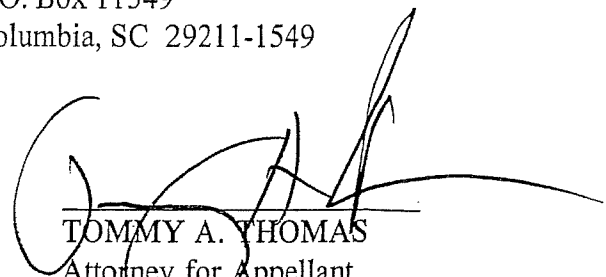
Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on George Henry DeBusk, Jr. by depositing a copy of it in the United States Mail, postage prepaid, on October 23, 2018, addressed to:

George Henry DeBusk, Jr., Esq.  
Horry County Solicitor's Office  
P.O. Box 1276  
Conway, SC 29526

Johnny James, Esq.  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211-1549

  
TOMMY A. THOMAS  
Attorney for Appellant  
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October 23, 2018

533  
Tommy A. Thomas

ATTORNEY AND COUNSELOR AT LAW

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PO BOX 88  
IRMO, SC 29063

INMATE LINE  
(803) 732-6542

October 29, 2018

Court of Appeals  
V. Clare Allen, Deputy Clerk  
P.O. Box 11629  
Columbia, SC 29211

RE: State v. Meleke Da'Shawn Stewart  
Case No.: 2018-GS-26-2255; 2014-GS-26-3682; 2014-GS-26-3681

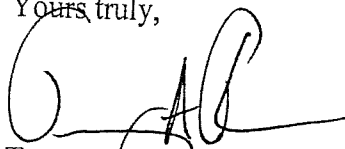
Dear Ms. Allen:

I am in receipt of your letter dated October 25, 2018. Please be advised that this matter was a trial and not a plea and therefore, I do not believe that an explanation would be required.

It appears that plea was entered into the public index search by error. I have contacted the Horry County Clerk of Court and they have fixed this in there system. I have enclosed copies for reference.

Please let me know if you have any questions.

Yours truly,

  
Tommy A. Thomas,  
Attorney at Law

TAT/jem  
cc: John Benjamin Aplin, Esq.

**RECEIVED**

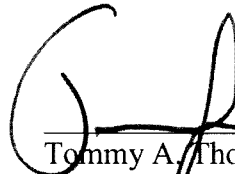
FEB 04 2020

**SC Court of Appeals**

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 August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings".

January 21, 2020



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Tommy A. Thomas  
Attorney for Appellant

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