

ARREST WARRANT

2018A2610201763

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Horry.

THE STATE

18062649

against

Anthony Wade McKeithan

Address:

Phone: [REDACTED] SSN: [REDACTED]
Sex: M Race: W Height: 5 10 Weight: 180

DL State: NC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Joshua T Johnson - 1258

Offense: Robbery / Entering bank, depository or bldg and
loan association with intent to steal

Offense Code: 0257

Code/Ordinance Sec: 16-11-0380(A)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality ofThe accused
is to be arrested and brought before me to be
dealt with according to the law

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant on Anthony McKeithan
4/11/19

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
PO Box 677
1301 2nd Avenue
Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Horry

Personally appeared before me the affiant Joshua T Johnsonbeing duly sworn deposes and says that defendant Anthony Wade McKeithandid within this county and state on or about 7/10/2018State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Horry.

In the following particulars:

DESCRIPTION OF OFFENSE: Robbery / Entering bank, depository or bldg and loan association with intent to steal

I further state that there is probable cause to believe that the defendant - named above did commit
the crime set forth and that probable cause is based on the following facts:On July 10, 2018, at or around 1653 hours, at 1702 Highway 17 North, BB&T Bank, in the Little River section of Horry County,
the defendant, one Anthony Wade McKeithan did enter the bank premise with the intent to commit to steal currency, by utilizing a
note that stated ("This is not a joke or game! Give me all the loose 100's, 50's, 20's. No dye packs, no gps. No one gets hurt, no
alarm.") The defendant did receive an unknown amount of currency and immediately exited the bank. By these actions the
defendant did violate South Carolina Code of law 16-11-380 for Entering bank, depository or building and loan association with the
intent to steal; theft or solicitation of person using automated teller machine.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Horry

Affiant's Address 2560 N. Main StreetConway 29526-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 7/10/2018defendant Anthony Wade McKeithan

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

☒ County/ ☐ Municipality of Horry

) as set forth below:

DESCRIPTION OF OFFENSE: Robbery / Entering bank, depository or bldg and loan association with intent to steal

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as
soon thereafter as is practicable
Sworn to and subscribed before meon 7/10/2018

Signature of Issuing Judge

William N. Hutson

Judge Code: 7371Judge's Address 4150 J. Reuben Long AvenueConway, SC 29526-Judge's Telephone (843)915-5145Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

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Form Approved by
S.C. Attorney General
Apr 21, 2003
SCCA 518

AFFIDAVIT

FILED

who

2019 APR 23 PM 2:32

Violate the criminal laws of the

Horry.

RENEE H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

SC Court of Appeals

AUG 21 2020

RECEIVED

WITNESSES

Joshua T Johnson Horry County Police
Department

Michael Korman

ARREST WARRANT NUMBER

2018A2610201763
CDR: 0257 16-11-0380
DOA: 4/11/2019

ACTION OF GRAND JURY

JUL 24 2019

TRUE BILL

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

✓ DOCKET NO. 2019GS2603133

The State of South Carolina

County of Horry

George H. DeBusk, Jr.
19H02038

COURT OF GENERAL SESSIONS

JULY, 2019 TERM

THE STATE

VS.

Anthony Wade McKeithan
W/ M

DOB: [REDACTED]
SSN: [REDACTED]

ATTORNEY:

Indictment for

ENTERING BANK WITH INTENT TO STEAL

Jimmy A. Richardson, II, Solicitor

ORIGINAL

FILED

2019 JUL 29 PM 1:30

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
DATE RECEIVED FROM
GRAND JURY

RECEIVED

AUG 21 2020

SC Court of Appeals

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

BAIL set by

Judge

on

Type and Amount:

Name of Surety:

PRELIMINARY HEARING held by

Judge

on

Defendant Attorney:

Decision:

DISPOSITION before

Judge

on

by

(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition:

Sentence:

JURORS

CERTIFIED COPY

RENEE N. ELVIS
CLERK OF COURT
Horry County, SC

WITNESSES

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

CODEFENDANTS



STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

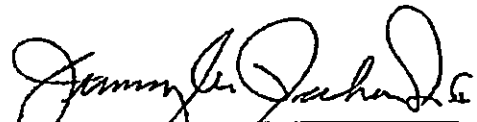
At a Court of General Sessions, convened on July 24, 2019, the Grand Jurors of Horry County present upon their oath:

ENTERING BANK WITH INTENT TO STEAL

CDR: 0257 16-11-0380

That Anthony Wade Mckeithan did in Horry County on or about July 10, 2018, enter a bank, depository, or building and loan association with intent to steal money or securities for money, either by force, intimidation, or threats, in violation of Section 16-11-0380, S. C. Code of Laws, 1976, as amended.

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



JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR

RENEE M. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

CERTIFIED COPY

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

NOTICE OF SUBSTITUTION

V.)

OF COUNSEL

ANTHONY MCKEITHAN)

PUBLIC DEFENDER TO PUBLIC DEFENDER

DEFENDANT)

NEW ATTORNEY: Scott Graustein

File No. 26A19-00003171

RECEIVED

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

AUG 21 2020

SC Court of Appeals

Please be advised that Cole Cagle, Public Defender for the above named defendant in the above-captioned matter has been replaced by Scott Graustein, Public Defender:

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

FILED
2019 OCT 29 AM 8:49
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

On the offense(s) listed below:

2018A2610201763 Robbery / Entering bank, depository or bldg and loan association with intent to steal

Respectfully Submitted,



Conway, South Carolina

ORRIE E. WEST
CHIEF PUBLIC DEFENDER

October 24, 2019

203 Laurel St.
P.O. Box 1666
Conway, South Carolina 29526
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

CERTIFIED COPY

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

ANTHONY MCKEITHAN

COLE CAGLE

DEFENDANT

RECEIVED

FILE NO: 26A19-00003171

AUG 21 2020

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
2019 AUG -6 AM 10:19

FILED

SC Court of Appeals

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, 22nd day of July, 2019, regarding the charge(s) of:

2018A2610201763 Robbery / Entering bank, depository or bldg and loan association with intent to steal

The Defendant's Counsel is **Cole Cagle**. 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.

CONWAY, SC
DATED: July 22, 2019


ORRIE E. WEST
FIFTEENTH JUDICIAL CIRCUIT
PUBLIC DEFENDER

CERTIFIED COPY

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

-VS-)

NOTICE AND MOTION FOR PRODUCTION
OF SPECIFIC EVIDENCE AND
DISCLOSURE OF WITNESSES

ANTHONY W. MCKEITHAN

DEFENDANT)

RECEIVED

AUG 21 2020

SC Court of Appeals

2019 AUG -6 AM 10: 19
FILED
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

FILE NO: 26A19-00003171

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
 - (a) All tangible objects obtained from the scene of the crime; and
 - (b) All tangible objects obtained from the State's witnesses in this case
 - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
 - (a) Analysis of handwriting
 - (b) Photographs secured of the scene of the crime
 - (c) Comparison of fingerprints
8. Make available any facts which tend to exculpate the Defendant.

CERTIFIED COPY

9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing;
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make use of, at trial.
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
 - (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
 - (c) The date of his/her most recent certification to give said tests;
- And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

CERTIFIED COPY

- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine, either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 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 Nixon 274 S.E. 2d 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 879 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

ADDITIONALLY DEFENDANT REQUESTS A SPEEDY TRIAL:

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

WHEREFORE, Defendant prays:

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

RESPECTFULLY SUBMITTED,



ORRIE E. WEST
FIFTEENTH CIRCUIT JUDGE
PUBLIC DEFENDER

CONWAY, SOUTH CAROLINA
DATED: July 22, 2019

CERTIFIED COPY

STATE OF SOUTH CAROLINA

COUNTY OF
STATE

Horry

VS.

Anthony Wade Mckeithan

AKA:

Race: WHITE Sex: M Age: 39

DOB: [REDACTED] SS#: [REDACTED]

Address:

City, State, Zip:

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Entering a Bank with Intent to Steal (Up to 30 years)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019GS2603133

A/W#: 2018A2610201763

Date of Offense: 7/10/2018

S.C. Code § 16-11-0380

CDR Code #: 0257

RECEIVED

AUG 21 2020

SC Court of Appeals
SENTENCE SHEET☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-11-0380 of the S.C. Code of Laws, bearing CDR Code # 0257

☐ NON-VIOLENT ☒ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ \$17-25-45The 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:

DeBusk, Jr., George H.

SCB16182

SC Bar#

Defendant

Graustein, Scott A.
Attorney for Defendant

SCB68532

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 15 days/months/years or ☐ under the Youthful Offender Act not to exceed X years and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for X 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:☒ The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SEDOC.☐ 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)

\$14-1-211(A)(2) (DUI Surcharge)

\$56-5-2995 (DUI Assessment)

\$56-1-286 (DUI Breath Test)

Proviso (Public Def/Probation)

\$14-1-212 (Law Enforce. Funding)

\$14-1-213 (Drug Court Surcharge)

\$50-21-114(BUI Breath Test Fee)

\$56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

TOTAL

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 9-16-2035

\$ _____ paid to Public Defender Fund

Other:

Recommend Atty. Program.

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

Court Reporter:

SCCA/217 (04/2018)

Presiding Judge

Judge Code:

Sentence Date:

2148

Aug. 10, 2020

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

STATE OF SOUTH CAROLINA)

-VS-

ANTHONY MCKEITHAN

DEFENDANT)
_____)

RULE 203 (B) (iv)
WRITTEN EXPLANATION OF

NO
BASIS FOR APPEAL

RECEIVED

AUG 21 2020

SC Court of Appeals

PERSONALLY appeared before me Scott Graustein, who being duly sworn,

deposes and says :

1. I represented the above named defendant before THE HONORABLE BENJAMIN H. CULBERTSON on AUGUST 10, 2020 at

which time the defendant enter a guilty plea to his/her pending charges.

2. No issues of law or fact, were raised before the Judge at that time that could be the basis for an Appeal in this matter.

3. The defendant requested this appeal be filed based on the language used by the plea judge informing the client he has the right to appeal his guilty plea within ten (10) days.

4. I informed defendant that there were no issues to appeal.

5. Defendant requested the Appeal be filed.

Sworn to and Subscribed before me
_____ day of August, 2020

Notary Public for South Carolina
My Commission expires: 10/23/2020

Signature of Attorney for Defendant
SCOTT A. GRAUSTEIN

Print name of Attorney for Defendant

CERTIFIED COPY