

STATE OF SOUTH CAROLINA

FILED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BERKELEY

2021 FEB 19 PM 1:31

NINTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA
LEAN GUERRY DUPREE
CLERK OF COURT
BERKELEY COUNTY, SC

ORDER DENYING DEFENDANT'S MOTIONS

Indictment #2018-GS-08-00528
Indictment #2018-GS-08-00529
Indictment #2018-GS-08-00530
Indictment #2018-GS-08-00531
Indictment #2018-GS-08-00532

vs.

AARON MCKENZIE CAPERS,

DEFENDANT.

Charges: Possession Of A Weapon During The Commission
Of A Violent Crime, Burglary First Degree, Kidnapping,
Armed Robbery, Criminal Sexual Conduct First Degree

SC Court of Appeals

APR 02 2021

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This matter came before the Court on February 17, 2021 for a final hearing on the following motions filed by Defendant: Motion to Reconsider Sentence, Motion for a New Trial, and Motion for Judgement Not Withstanding the Verdict. Present for the WebEx Virtual Hearing was the Defendant, Aaron McKenzie Capers, Counsel for the Defendant, Sharon Capers, and Counsel for the State, Anne Williams.

On March 21, 2019, the Defendant was sentenced to the following at the conclusion of a Jury Trial: Indictment #2018-GS-08-00528, Possession of a Weapon during the Commission of a Violent Crime: five (5) years; Indictment #2018-GS-08-00529, Burglary First Degree: fifty (50) years; Indictment #2018-GS-08-00530, Kidnapping: thirty (30) years; Indictment #2018-GS-08-00531; Armed Robbery: thirty (30) years; Indictment #2018-GS-08-00532, and Criminal Sexual Conduct in the First Degree: thirty (30) years.

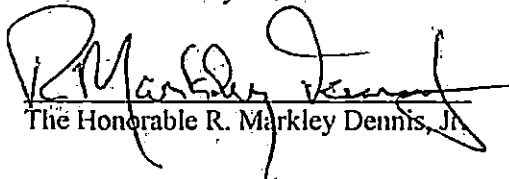
The fifty (50) year sentence on Indictment #2018-GS-08-00529, Burglary First Degree was ordered to run consecutive to the thirty (30) year sentence on Indictment #2018-GS-08-00532, Criminal Sexual Conduct in the First Degree, for a total of eighty (80) years, and all other sentences were ordered to run concurrent to these charges and to each other, for a total of eighty (80) years in the South Carolina Department of Corrections.

On April 1, 2019, the Defendant, through his Counsel, filed a Motion to Reconsider Sentence, Motion for a New Trial, and Motion for Judgement Not Withstanding the Verdict. On April 15, 2019, the State filed a Response to Defendant's Motion to Reconsider Sentence. On January 6, 2020, a hearing was conducted and the Court heard testimony and arguments from both the Defendant and the State, along with testimony of multiple witnesses. At the Defendant's request, the Court delayed a ruling until the Defendant could schedule and undergo a psychiatric evaluation and submit a report of such to the Court.

On December 2, 2020, the Court and the State were provided with a report of the psychiatric evaluation of the Defendant performed by Dr. Donna S. Maddox along with Dr. Maddox's Curriculum Vitae. On February 17, 2021, having reviewed the psychiatric evaluation submitted by Defendant, the Court had a final hearing whereby the Defendant addressed the Court and final arguments were made by the Defendant's Attorney, Sharon Capers, and Counsel for the State, Anne Williams.

Having considered all of the evidence, testimony and arguments presented in this matter, the Court orders as follows: Defendant's Motion to Reconsider Sentence, Motion for a New Trial, and Motion for Judgment Not Withstanding the Verdict are hereby all denied.

IT IS SO ORDERED!


The Honorable R. Markley Dennis, Jr.

2/19/21

Orders Group (E)