

**RECEIVED**

**Apr 30 2021**

**S.C. SUPREME COURT**

**ATTACHMENT "A"**

**INMATE SEARCH DETAIL REPORT**

YOUNG, III, WILLIE (00285487)



INMATE DESCRIPTION		INMATE SENTENCE AND LOCATION	
SEX:	MALE	SCDC ID:	00285487
RACE:	BLACK	SID:	SC01320340
HEIGHT:	6' 05"	OFFENDER TYPE:	ADULT-STRAIGHT SENTENCE
WEIGHT:	229 lbs.	ADMISSION DATE:	07/09/2002
AGE:	42	LOCATION:	KERSHAW
CITIZENSHIP:	CITIZEN - NATIVE BORN	DORM-ROOM-BUNK:	OB-0057-T
BUILD:	LARGE	EWC LEVEL:	2F5
COMPLEXION:	LIGHT BROWN	EEC LEVEL:	
HAIR COLOR:	BLACK	PROJECTED RELEASE DATE:	03/07/2027
EYE COLOR:	BROWN	PROJECTED PAROLE ELIGIBILITY:	NOT ELIGIBLE
PICTURE DATE:	05/31/2016	SUP. FURLOUGH ELIGIBILITY:	NOT ELIGIBLE
		SUP. RE-ENTRY DATE:	NOT ELIGIBLE

**CURRENT OFFENSES**

OFFENSE	SENTENCE TYPE	YRS	MOS	DYS	COUNTY	START DATE	V/NV	CAT	INDICT	STATUS
ARMED ROBBERY	ADULT-STRAIGHT SENTENCE	30	0	0	ORANGEBURG	09/12/2001	V	4	01GS382492	ACTIVE

**ESCAPES**

NO ESCAPES DURING CURRENT INCARCERATION

**DISCIPLINARY SANCTIONS** SANCTIONS NOT AVAILABLE IN THE AUTOMATED SYSTEM PRIOR TO JANUARY 2009

DATE	DESCRIPTION
04/02/2019	POSS. OR/ATTEMPT TO POSSESS CELL PHONE LOSS OF CANTEEN PRIVILEGES FOR 140 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 140 DAYS LOSS OF VISITATION PRIVILEGES FOR 140 DAYS
01/29/2019	POSS. OR/ATTEMPT TO POSSESS CELL PHONE LOSS OF CANTEEN PRIVILEGES FOR 120 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 120 DAYS
03/12/2018	POSS. OR/ATTEMPT TO POSSESS CELL PHONE LOSS OF CANTEEN PRIVILEGES FOR 210 DAYS DISC. DETENTION FOR 30 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 210 DAYS LOSS OF VISITATION PRIVILEGES FOR 210 DAYS
07/15/2017	POSS. OR/ATTEMPT TO POSSESS CELL PHONE LOSS OF CANTEEN PRIVILEGES FOR 130 DAYS DISC. DETENTION FOR 10 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 130 DAYS LOSS OF VISITATION PRIVILEGES FOR 130 DAYS
02/28/2012	POSSESSION OF A WEAPON LOSS OF GOOD TIME: 60 DAYS LOSS OF CANTEEN PRIVILEGES FOR 180 DAYS LOSS OF PROPERTY PRIVILEGES FOR 180 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 180 DAYS LOSS OF VISITATION PRIVILEGES FOR 180 DAYS
03/31/2011	OUT OF PLACE LOSS OF CANTEEN PRIVILEGES FOR 60 DAYS LOSS OF TELEPHONE PRIVILEGES FOR 60 DAYS

**INMATE SEARCH DETAIL REPORT**

YOUNG, III, WILLIE (00285487)

**DISCIPLINARY SANCTIONS**

SANCTIONS NOT AVAILABLE IN THE AUTOMATED SYSTEM PRIOR TO JANUARY 2009

DATE	DESCRIPTION
08/03/2009	THREATENING TO INFLICT HARM ON EMPLOYEE
	LOSS OF CANTEEN PRIVILEGES FOR 360 DAYS
	DISC. DETENTION FOR 180 DAYS
	LOSS OF TELEPHONE PRIVILEGES FOR 360 DAYS
	LOSS OF VISITATION PRIVILEGES FOR 360 DAYS

**MOVEMENT**

MOVEMENT DATE	TO LOCATION	STATUS	REASON
09/29/2020	KERSHAW	INCARCERATED	ADMINISTRATIVE
09/29/2020	CENTRAL OFFICE ANNEX	INCARCERATED	MEDICAL
02/19/2020	KERSHAW	INCARCERATED	ADMINISTRATIVE
01/31/2020	GOODMAN	INCARCERATED	ADMINISTRATIVE
01/31/2020	CENTRAL OFFICE ANNEX	INCARCERATED	MEDICAL
01/28/2020	GOODMAN	INCARCERATED	ADMINISTRATIVE
01/28/2020	CENTRAL OFFICE ANNEX	INCARCERATED	MEDICAL
01/07/2020	GOODMAN	INCARCERATED	ADMINISTRATIVE
01/23/2019	RIDGELAND	INCARCERATED	ADMINISTRATIVE
01/23/2019	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
09/19/2018	RIDGELAND	INCARCERATED	ADMINISTRATIVE
09/19/2018	KIRKLAND	INCARCERATED	MEDICAL
08/10/2017	RIDGELAND	INCARCERATED	ADMINISTRATIVE
05/17/2017	ALLENDALE	INCARCERATED	ADMINISTRATIVE
05/17/2017	KIRKLAND	INCARCERATED	MEDICAL
11/17/2016	ALLENDALE	INCARCERATED	ADMINISTRATIVE
11/17/2016	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
10/24/2016	ALLENDALE	INCARCERATED	RETURN FROM COURT
10/24/2016	ORANGEBURG CO	AUTH ABSENCE (AWL)	TO COURT
07/14/2016	ALLENDALE	INCARCERATED	ADMINISTRATIVE
07/14/2016	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
06/01/2016	ALLENDALE	INCARCERATED	ADMINISTRATIVE
06/01/2016	KIRKLAND	INCARCERATED	MEDICAL
04/12/2016	ALLENDALE	INCARCERATED	ADMINISTRATIVE
04/11/2016	KIRKLAND	INCARCERATED	MEDICAL
07/07/2015	ALLENDALE	INCARCERATED	ADMINISTRATIVE
07/07/2015	KIRKLAND	INCARCERATED	MEDICAL
05/28/2015	ALLENDALE	INCARCERATED	ADMINISTRATIVE
05/28/2015	KIRKLAND	INCARCERATED	MEDICAL
02/12/2015	ALLENDALE	INCARCERATED	ADMINISTRATIVE
02/12/2015	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
06/19/2014	ALLENDALE	INCARCERATED	ADMINISTRATIVE
06/19/2014	KIRKLAND	INCARCERATED	MEDICAL
01/23/2014	ALLENDALE	INCARCERATED	ADMINISTRATIVE
01/23/2014	KIRKLAND	INCARCERATED	MEDICAL
10/29/2013	ALLENDALE	INCARCERATED	ADMINISTRATIVE
12/06/2012	EVANS	INCARCERATED	ADMINISTRATIVE
08/20/2012	LIEBER	INCARCERATED	ADMINISTRATIVE
08/20/2012	KIRKLAND	INCARCERATED	MEDICAL
04/18/2012	LIEBER	INCARCERATED	ADMINISTRATIVE
04/17/2012	KIRKLAND	INCARCERATED	MEDICAL

**INMATE SEARCH DETAIL REPORT**

YOUNG, III, WILLIE (00285487)

**MOVEMENT**

MOVEMENT DATE	TO LOCATION	STATUS	REASON
12/19/2011	LIEBER	INCARCERATED	ADMINISTRATIVE
12/19/2011	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
09/19/2011	LIEBER	INCARCERATED	MEDICAL
09/19/2011	OUTSIDE MEDICAL	AUTH ABSENCE (AWL)	MEDICAL
08/29/2011	LIEBER	INCARCERATED	ADMINISTRATIVE
08/29/2011	KIRKLAND	INCARCERATED	MEDICAL
08/04/2011	LIEBER	INCARCERATED	ADMINISTRATIVE
08/04/2011	KIRKLAND	INCARCERATED	MEDICAL
11/02/2009	LIEBER	INCARCERATED	ADMINISTRATIVE
11/02/2009	KIRKLAND	INCARCERATED	MEDICAL
09/16/2008	LIEBER	INCARCERATED	ADMINISTRATIVE
09/16/2008	KIRKLAND	INCARCERATED	MEDICAL
09/08/2008	LIEBER	INCARCERATED	ADMINISTRATIVE
09/08/2008	KIRKLAND	INCARCERATED	MEDICAL
06/09/2008	LIEBER	INCARCERATED	ADMINISTRATIVE
06/09/2008	KIRKLAND	INCARCERATED	MEDICAL
11/08/2007	LIEBER	INCARCERATED	ADMINISTRATIVE
11/08/2007	KIRKLAND	INCARCERATED	MEDICAL
04/27/2005	LIEBER	INCARCERATED	RETURN FROM COURT
04/27/2005	DORCHESTER CO	AUTH ABSENCE (AWL)	TO COURT
06/26/2003	LIEBER	INCARCERATED	ADMINISTRATIVE
06/25/2003	KIRKLAND	INCARCERATED	MEDICAL
10/03/2002	LIEBER	INCARCERATED	ADMINISTRATIVE
08/07/2002	BROAD RIVER	INCARCERATED	ADMINISTRATIVE
07/09/2002	KIRKLAND	INCARCERATED	NEW ADMISSION

**EARNED WORK CREDITS**

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LEVEL
WARDKEEPER	10/06/2020			2F5
WARDKEEPER	05/20/2020	10/05/2020	CUSTODY REVIEW	3F5
FOOD SERVICE AIDE	01/21/2020	02/19/2020	INSTIT TRANSFER	2F5
ROOFER	01/09/2020	01/17/2020	LATERAL TRANSFER	2F5
WARDKEEPER	10/04/2019	01/07/2020	INSTIT TRANSFER	2F5
WARDKEEPER	09/06/2017	10/03/2019	MI ELIGIBLE FOR LEVEL 2	3F5
HAULER	10/31/2013	07/25/2017	PLACED IN ST/SP CUSTODY	3F5
CUSTODIAL WORKER	02/08/2013	08/21/2013	INMATE REQUEST	3F5
WARDKEEPER ASSISTANT	03/25/2010	04/01/2011	PLACED IN ST/SP CUSTODY	3F5
FOOD SERVICE AIDE	04/16/2009	08/12/2009	INMATE REQUEST	3F7
FOOD SERVICE AIDE	10/18/2008	04/15/2009	PROMOTION	3F5
PLUMBER	03/20/2008	10/17/2008	COMPLETED EDUC PROGRAM	3F5
FOOD SERVICE AIDE	06/27/2006	06/21/2007	INMATE REQUEST	3F5
FOOD SERVICE AIDE	07/15/2005	03/16/2006	PLACED IN ST/SP CUSTODY	3F5
FOOD SERVICE AIDE	10/23/2003	05/21/2005	INMATE REQUEST	3F5
FOOD SERVICE AIDE	10/06/2002	12/01/2002	UNSAT JOB PERFORM	3F5
WARDKEEPER ASSISTANT	08/27/2002	10/03/2002	INSTIT TRANSFER	3F5
FOOD SERVICE AIDE	08/15/2002	08/26/2002	INMATE REQUEST	3F7
WARDKEEPER ASSISTANT	08/08/2002	08/14/2002	INMATE REQUEST	3F5

**EARNED EDUCATION CREDITS**

**EARNED EDUCATION CREDITS**

<b>EEC DESCRIPTION</b>	<b>START DATE</b>	<b>END DATE</b>	<b>TERMINATION REASON</b>
LVL 3 - FULL TIME(NO EWC)	02/27/2008	03/19/2008	LATERAL TRANSFER

**ATTACHMENT "B"**

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Orangeburg  
STATE VS.

INDICTMENT/CASE#:

2001 -GS- 38 - 2492

Willie Young III  
AKA:

A/W#: G731578

Race: B Sex: M Age:

Date of Offense: 5-9-01

DOB: [REDACTED] SS#: [REDACTED]

S.C. Code §: 16-11-330

Address: \_\_\_\_\_

CDR Code #: 011319

CASE RESTORED

DL# \_\_\_\_\_ SID#: \_\_\_\_\_

SENTENCE  
 PLEA  TRIAL

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Armed Robbery

in violation of § 16-11-330 of the S.C. Code of Laws, bearing CDR Code # 011319

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  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:  
[Signature]  
Solicitor

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

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.

The Defendant is to be given credit for \_\_\_\_\_ days/months jail time.  
 CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

SPECIAL CONDITIONS:

RESTITUTION:  Heard,  Waived,  Ordered  
Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_  
Payment Terms: \_\_\_\_\_  
 set by SCDPPPS \_\_\_\_\_

PTUP \_\_\_\_\_  
\_\_\_\_\_ days/hours Public Service Employment  
Obtain GED \_\_\_\_\_  
Attend Voc Rehab. or Job Corps \_\_\_\_\_  
May serve W/E beginning \_\_\_\_\_  
Substance Abuse Counseling \_\_\_\_\_  
Random Drug/Alcohol Testing \_\_\_\_\_  
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ \_\_\_\_\_ beginning \_\_\_\_\_  
\$ \_\_\_\_\_ paid to Public Defender Fund.  
Other: \_\_\_\_\_

Recipient: \_\_\_\_\_  
\*Fine: .....\$ \_\_\_\_\_  
§14-1-206 (Assessments 100%)...\$ \_\_\_\_\_  
§14-1-211(A)(1) (Surcharge) .....\$ 100.00  
§14-1-211(A)(2) (Surcharge) .....\$ \_\_\_\_\_  
§56-5-2995 (DUI Assessment)...\$ \_\_\_\_\_  
3% to County (if paid in installments)...\$ 300  
TOTAL .....\$ 1030

PRESIDING JUDGE [Signature]  
Judge Code: 011114  
Sentence Date: 6/28/02

[Signature]  
Clerk of Court/Deputy Clerk  
Court Reporter: [Signature]  
White - Clerk Green - Corrections Canary - Probation Pink - Defendant

**ATTACHMENT "C"**

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

The State, Respondent,

v.

Willie Young, Appellant.

Appellate Case No. 2017-000557

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Appeal From Orangeburg County  
Edgar W. Dickson, Circuit Court Judge

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Unpublished Opinion No. 2020-UP-268  
Submitted September 1, 2020 – Filed September 23, 2020

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**AFFIRMED**

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Willie Young, pro se.

Attorney General Alan McCrory Wilson and Assistant  
Attorney General Joshua Abraham Edwards, both of  
Columbia; and Solicitor David Michael Pascoe, Jr., of  
Orangeburg, all for Respondent.

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**PER CURIAM:** Willie Young appeals the circuit court's denial of his motion for a new trial pursuant to Rule 29(b) of the South Carolina Rules of Criminal Procedure the circuit court's failure to appoint counsel during the motion hearing. On appeal, Young argues his indictment should have been dismissed because it

was true-billed during a time when Orangeburg County lacked general session jurisdiction. Further, he contends the circuit court erred by not providing him with the appointed counsel he requested at the motion hearing. We affirm pursuant to Rule 220(b), SCACR, and the following authorities:

1. The circuit court did not abuse its discretion in denying Young's motion for a new trial based on after-discovered evidence. *See State v. Harris*, 391 S.C. 539, 544-45, 706 S.E.2d 526, 529 (Ct. App. 2011) ("A motion for a new trial based on after-discovered evidence is addressed to the sound discretion of the [circuit court]. The granting of a new trial because of after-discovered evidence is not favored,' and this court will affirm the [circuit] court's denial of such a motion unless the [circuit] court abused its discretion." (quoting *State v. Irvin*, 270 S.C. 539, 545, 243 S.E.2d 195, 197-98 (1978))). Here, Young provided his indictment as after-discovered evidence, arguing his indictment was null and void because the date it was signed did not coincide with the scheduled terms of court for Orangeburg County as provided in section 14-5-620 of the South Carolina Code (2017). However, because the date on the indictment could have reasonably been discovered at the time of trial, Young had access to the indictment in his records since the indictment was signed in 2002, and Young was represented by counsel, we hold the circuit court properly denied Young's motion. *See Harris*, 391 S.C. at 545, 706 S.E.2d at 529 ("In order to warrant the grant of a new trial on the ground of after-discovered evidence, the movant must show the evidence (1) is such as will probably change the result if a new trial is granted; (2) has been discovered since the trial; (3) could not have been discovered before the trial by the exercise of due diligence; (4) is material to the issue; and (5) is not merely cumulative or impeaching.").<sup>1</sup>

2. The circuit court properly denied Young's request for counsel because Young's motion was not made during a critical stage of his prosecution and he did not provide after-discovered evidence warranting a new trial. *See State v. Clinkscales*, 318 S.C. 513, 515, 458 S.E.2d 548, 549 (1995) ("A defendant's Sixth Amendment right to assistance of counsel attaches at all critical stages of a criminal prosecution. However, this constitutional right extends only to the first right of

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<sup>1</sup> We further note Orangeburg County was not limited to the terms of court specified in section 14-5-620(3) of the South Carolina Code and had jurisdiction to impanel a grand jury when Young was indicted. *See S.C. Const. art. V, § 4* ("The Chief Justice shall set the terms of any court . . . . Provided, each county shall be entitled to four weeks of court each year and such terms therefore shall be provided for by the General Assembly.").

appeal.") (citations omitted); *id.* (holding appellants are not entitled to an appointment of counsel to argue for a new trial based on after-discovered evidence when their motion is not at a critical stage and the record does not contain after-discovered evidence that would support a new trial).

**AFFIRMED.**<sup>2</sup>

**HUFF, WILLIAMS, and GEATHERS, JJ., concur.**

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<sup>2</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.

**ATTACHMENT "D"**

# The South Carolina Court of Appeals

The State, Respondent,

v.

Willie Young, Appellant.

Appellate Case No. 2017-000557

The Honorable Edgar W. Dickson  
Orangeburg County  
Trial Court Case No. 2001GS3802492

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## ORDER RECALLING REMITTITUR

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This Court's remittitur was sent to the Clerk of Orangeburg County on February 22, 2021. It is now necessary for this Court to recall the remittitur. The Clerk of Orangeburg County is, therefore, directed to return the remittitur to the Clerk of the South Carolina Court of Appeals within ten (10) days from the date of this order.

FOR THE COURT

BY *V. Claire Allen*  
CLERK

Columbia, South Carolina

cc:

Willie Young, III, 285487  
Alan McCrory Wilson, Esquire  
Joshua Abraham Edwards, Esquire  
David Michael Pascoe, Jr., Esquire  
The Honorable Winnifa Brown-Clark

**FILED**  
**Apr 20 2021**

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