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**Sep 03 2021**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lexington County

Honorable Frank R. Addy, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

STEVEN DEWAYNE EDWARDS,

APPELLANT

APPELLATE CASE NO. 2021-000172

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RECORD ON APPEAL

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STATE OF SOUTH CAROLINA

GENERAL SESSIONS

COUNTY OF LEXINGTON

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STATE OF SOUTH CAROLINA, )

Plaintiff, )

vs. )

STEVEN DEWAYNE EDWARDS, )

Defendant. )

Transcript of Record  
2020-GS-32-00120

-----x

November 2, 2020  
Virtual Courtroom

B E F O R E:

The Honorable Frank R. Addy, Jr., Presiding Judge

A P P E A R A N C E S:

Russell Parker, Esq.  
Attorney for the Plaintiff

Ola Johnson, Esq.  
Attorney for the Defendant

Transcribed by Bobbi Fisher, RPR, for DCRP, Digital  
Courtroom Project

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I N D E X

PAGE

PLEA AGREEMENT

3

E X H I B I T S

None.

1 P R O C E E D I N G S

2 (Whereupon, the following proceedings started at 10:50 a.m.)

3 THE COURT: It is 10:50 and we are still addressing  
4 matters from the Lexington detention center.

5 Sir, what is your name, please, there at the jail?

6 THE DEFENDANT: Steve Edwards.

7 THE COURT: Let's see. That's --

8 MR. PARKER: Russell Parker.

9 THE COURT: Okay. All right. Mr. Edwards, we're  
10 handling this matter by remote video conferencing with your  
11 consent, and, obviously, your attorney, Mr. Johnson is  
12 appearing from his office. So if at any point in time during  
13 the course of this plea you need to speak to Mr. Johnson, I  
14 want you just to stop me and I'll let you put in a  
15 confidential phone call to him. Okay, sir?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: All right. If you would, Mr. Edwards, raise  
18 your right hand so the clerk can put you under oath, please.

19 STEVEN DEWAYNE EDWARDS,  
20 the defendant, after having been duly sworn, was examined and  
21 testified to as follows:

22 THE CLERK: Judge, this is case 2020-GS-32-00120, State  
23 versus Steven Dewayne Edwards indicted for arson second  
24 degree. He's pleading to arson third degree. It has been  
25 true-billed and he is represented by Mr. Johnson.

1 THE COURT: All right. Mr. Johnson, you are representing  
2 Mr. Edwards. Arson third degree, is that ten years or five  
3 years? I can't recall.

4 MR. JOHNSON: I think it's zero to 15, if I'm correct.

5 THE COURT: All right.

6 MR. PARKER: That's right.

7 THE COURT: All right. Zero to 15, then, is the range.  
8 I'm going to write that on the sentencing sheet. You have  
9 reviewed with Mr. Edwards the ramifications of this plea, the  
10 elements of this crime, as well as all his constitutional  
11 rights?

12 MR. JOHNSON: Yes, sir.

13 THE COURT: All right. Apparently, there are no  
14 recommendations or negotiations in this case; am I correct?

15 MR. PARKER: That's correct, Judge.

16 MR. JOHNSON: Correct, Your Honor.

17 THE COURT: All right. Again, you are Steven Dewayne  
18 Edwards. Do you understand, sir, that arson, third degree  
19 carries up to 15 years? There are no recommendations or  
20 negotiations in this case, so whatever sentence you receive is  
21 entirely in my discretion. Do you understand that?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Now, Mr. Edwards, in the last 24 hours, have  
24 you taken any medication or any substance that currently  
25 affects your thinking?

1 THE DEFENDANT: No, sir.

2 THE COURT: And have you ever been treated for any mental  
3 illness-type issues?

4 THE DEFENDANT: No, sir.

5 THE COURT: Mr. Edwards, are you guilty of arson, third  
6 degree?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: All right. I'm going to ask the Solicitor  
9 for the facts. When he's done speaking, I'll then ask you if  
10 that's what took place, if that's what happened. Okay, sir?

11 THE DEFENDANT: Okay.

12 THE COURT: All right. Solicitor?

13 MR. PARKER: Thank you, Judge. May it please the Court.

14 Your Honor, this incident occurred on April 16th of 2019.

15 Officers with Columbia PD were dispatched to Walmart on

16 Harbison boulevard in the Columbia area of Lexington County

17 around 3:30 a.m. in reference to an arson. Firefighters

18 determined that the shopping cart that was filled with empty

19 cardboard boxes that was being used by employees to stock

20 aisles had been lit on fire. They were able to pull

21 surveillance footage from the area where the fire started and

22 located an individual later identified as Mr. Edwards entering

23 the aisle and then leaving the aisle shortly before the fire

24 became noticeable and exiting the store. No one else was seen

25 entering or leaving the aisle for an extended period of time

1 before or after the incident.

2 Before setting the fire, Edwards was seen entering the  
3 store and walking around the store with two individuals who  
4 were later identified as Deanna Salis (ph) and Bobby Murphy.  
5 Salis and Murphy both exited the store.

6 Walmart estimated the damage to the building, including  
7 the value of the items, to be approximately \$3 million. Still  
8 images of Edwards and his co-defendant Bobby Murphy and  
9 Edwards' girlfriend, Deanna Salis, who was present, ultimately  
10 was not charged, they were released to the media. They  
11 received several anonymous tips for the public identifying all  
12 three of them. Mrs. Salis and Mr. Murphy were both  
13 interviewed by law enforcement and confirmed they were the  
14 people in the footage, along with Edwards. Salis stated that  
15 Edwards admitted to setting the fire, as they left the scene,  
16 saying something along the lines of "no one is going to get  
17 any chocolates tonight" before the fire was started, was in  
18 that aisle. Murphy corroborated that as well and said that  
19 Edwards admitted to the fire.

20 Edwards was eventually arrested and charged with arson,  
21 second. He was interviewed but denied any involvement.

22 As far as prior record, I can go into that later or now,  
23 if you'd like, Judge.

24 THE COURT: If you could, go ahead and give me his  
25 criminal history, please.

1 MR. PARKER: Sure. Judge, from 1995 -- and I'm unsure of  
2 the jurisdiction, but from '95, he has a robbery, theft of  
3 property and a forgery from Florida. He has a 2001  
4 (indiscernible) from Georgia. He has our equivalent of  
5 domestic violence and a simple assault. 2015, probation  
6 revocation from Oklahoma. A 2002 felony possession of a  
7 controlled substance in South Carolina. A 1997 petite larceny  
8 theft of electrical utility and CDV. A 2000 CDV and a 2018,  
9 receiving stolen goods.

10 THE COURT: I missed -- you mentioned a charge out of  
11 Oklahoma from 2015. What was that?

12 MR. PARKER: Yes, sir, Judge. That was -- it was just a  
13 probation revocation. I'm not sure what the underlying  
14 offense is but the (indiscernible) of probation revocation.

15 THE COURT: Okay. And perhaps I misunderstood as well,  
16 does the State have a motive on this case? Was it some  
17 attempt to distract for a shoplifting purpose or --

18 MR. PARKER: Yes, sir, Judge. I believe you actually  
19 heard the bond hearing of this during the summer with myself  
20 and Ola. The co-defendant stated that the intent was to  
21 shoplift. I spoke to Walmart. Apparently, whenever a store  
22 is evacuated like that, they don't allow anybody to carry  
23 anything out. So nothing was ultimately taken, but according  
24 to Mr. Murphy, the idea was to create some kind of  
25 distraction.

1 THE COURT: All right. Thank you.

2 Mr. Edwards, you heard what the State alleges happened in  
3 April of last year. Is it true that you set fire to these  
4 cardboard boxes in the Walmart?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: So you are guilty of this charge?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Mr. Edwards, I need to briefly review with  
9 you rights that you're giving up by pleading guilty. You  
10 understand that, by pleading guilty here today, you're waiving  
11 your right to grand jury presentment of the indictment and  
12 your right to a jury trial. Do you understand that, sir?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: In a trial, you and Mr. Johnson would have a  
15 chance to pick 12 jurors who would hear the case. The State  
16 would have the burden of proving your guilty beyond a  
17 reasonable doubt to the unanimous satisfaction of all 12  
18 members of that jury and would try to meet that burden by  
19 calling witnesses. As witnesses came forward, you would be to  
20 seek, confront, cross-examine, and question them. Do you  
21 understand that, Mr. Edwards?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: You could ask them any question relevant to  
24 any issue involved in this case. At the trial, sir, you have  
25 no burden of proof. The burden is always on the State. You

1 could call your own witnesses to testify at trial, you would  
2 be able to subpoena any reluctant witnesses, and of course,  
3 you could take the stand in your own defense. Do you  
4 understand that, Mr. Edwards?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: If you decided not to take the stand, though,  
7 I would instruct the jury that they couldn't use your failure  
8 to take the stand as evidence of guilt. They couldn't even  
9 discuss that. That's your Fifth Amendment right against  
10 self-incrimination. By pleading guilty, you waive that. You  
11 admit that you did commit this crime. Do you understand that,  
12 sir?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: At trial, you would also be presumed  
15 innocent. You would have the right to challenge all of the  
16 State's evidence. You could also present any defense which  
17 would be something as simple as "I didn't set this fire." If  
18 you plead guilty, though, you waive your right to present  
19 that, any other defense, and you waive your right to  
20 challenge all the evidence and do all the things I have just  
21 described. Do you want to give these rights up and plead  
22 guilty?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: And are you satisfied with Mr. Johnson's  
25 representation of you?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Has he done everything you wanted him to do?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Do you have any complaints to make against  
5 him?

6 THE DEFENDANT: No, sir.

7 THE COURT: And have you spoken to him often enough and  
8 frequently enough so that he can prepare a defense for you,  
9 sir?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Do you have any complaints to make against  
12 the Solicitor's Office, law enforcement, court personnel, or  
13 anyone associated with this case?

14 THE DEFENDANT: No, sir.

15 THE COURT: And aside from the reduction of the charge,  
16 has anyone promised you anything else or held out any other  
17 hope of reward to get you to plead guilty?

18 THE DEFENDANT: No, sir.

19 THE COURT: Has anyone tried to threaten you, force you,  
20 coerce you in any way to get you to plead guilty?

21 THE DEFENDANT: No, sir.

22 THE COURT: You are pleading guilty to that of your own  
23 free will?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Very good. I do find there is a basis for

1 this plea. It is truly voluntarily, knowingly, and  
2 intelligently made. Mr. Edwards is satisfied with counsel. I  
3 will accept his plea.

4 Mr. Johnson, happy to hear from you, sir.

5 MR. JOHNSON: Thank you, Judge. I wanted to just point  
6 out my client, I believe he's 43 years old. He's got a severe  
7 meth and heroin problem, Judge, which is obviously the basis  
8 of this whole thing. Bad drug problem. I will say, on the  
9 positive side, he's a family man and has a total of six  
10 children and (indiscernible). He's always worked. And he's  
11 worked (indiscernible). He actually has a job waiting for him  
12 with his sister now. I believe she's supposed to be online  
13 for this hearing, Ms. Lynn Bramlett. I don't know if she is,  
14 but she has the information. She says she wanted to  
15 participate, and she's going to provide him with employment.  
16 They have a business, Judge. So he has family support.

17 He has a bad need for drug treatment, Your Honor. I will  
18 point out, as my client has requested, he's got a federal  
19 case. I'm being (indiscernible) with his federal attorney  
20 recently, just last week, and he's indicated that my client is  
21 going to be entering into a sentence there. Because of this  
22 plea, obviously, that will affect him there, and there's  
23 another severe potential sentence where he'll be going to  
24 federal prison.

25 He's also served 564 days here. Your Honor did set a

1 bond on him I believe at \$50,000 but he couldn't get out of  
2 jail. I would ask the Court to consider that he's got a long  
3 time to do in the federal system. He's got a situation that  
4 he's going to have to deal with there. I don't know all the  
5 details of it, but it sounds like he's definitely going to  
6 prison there.

7           So I'd ask Your Honor to please give him something that  
8 could save his life, which I think would be inpatient  
9 treatment. This is a severe drug problem. He would need some  
10 inpatient treatment with a probationary sentence, and he would  
11 have to (indiscernible) the treatment center. The outpatient  
12 is not going to work. It needs to be a (indiscernible) drug  
13 treatment.

14           We have talked to several people. I spoke with -- I only  
15 know him as Pastor John. He said he wanted to participate. I  
16 don't know if he's online or not. I gave him the information.  
17 He had some other information that we have talked about as far  
18 as treatment facilities.

19           But I'd ask Your Honor to please consider that as  
20 something he can do, because he's going to go to federal  
21 prison and he needs some treatment when he gets out. I'd ask  
22 you to please consider that. I know that arson is serious,  
23 but I just think that the drugs are in control of him, Judge.  
24 He's worried about getting out and taking care of his kids and  
25 being a responsible person. I think he wants to do that,

1 Judge.

2 I'll ask if his sister is online. And that's all I have  
3 at this time. I believe Ms. Bramlett is online.

4 THE COURT: She is online. I did make her a panelist.  
5 You said his pastor's name was what? I'm looking for him.

6 MR. JOHNSON: I talked to a Pastor John. He calls  
7 himself Pastor John. He works down there at the jail. And he  
8 had spoken to my client and I spoke to him and asked him if he  
9 would participate. I gave him the information. I don't know  
10 if he's online, though. It was just a general conversation  
11 about the need for treatment. I think that that's something,  
12 when I talk to my client, it's pretty obvious he needs some  
13 drug treatment. I just think that Pastor John could speak to  
14 that.

15 THE COURT: Sure. I don't see anybody by the name of  
16 John on there, unless he's calling in under -- there's a  
17 Candace Morris who has called in. If he's calling in under  
18 that name, I have no idea.

19 MR. JOHNSON: He may not be online. But his sister is  
20 definitely an important person in his life and I'd ask the  
21 Court to, if you'd be willing to listen to his sister.

22 THE COURT: Yes, I will. And tell me what are the  
23 federal charges that he's looking at.

24 MR. JOHNSON: This was a federal drug conspiracy case,  
25 and I really don't know all the details and what the

1 resolution will be. So I simply talked to his attorney who  
2 the indication was this is going to be a strike against him.  
3 I think the range is up to 15 years. And I think that's --  
4 that's my understanding. So it's like a similar -- it could  
5 be less than that, but I just don't know what the ultimate  
6 resolution is.

7 THE COURT: All right. Thank you.

8 All right. Is it Ms. Bramlett, ma'am?

9 MS. BRAMLETT: Yes, sir.

10 THE COURT: All right. Ms. Bramlett, I'm happy to hear  
11 anything that you want to tell me.

12 And, Mr. Johnson, mute your microphone, if you would,  
13 please, so that we don't get feedback.

14 THE COURT: Yes, sir.

15 MS. BRAMLETT: (Indiscernible) he's really good. He has  
16 somebody to, like, watch over him, which he was. Him and my  
17 husband would work together. Still work and went into HVAC  
18 together. My husband owns his own company and that's where  
19 Steven will be working. And my father -- or our father. And  
20 I would like to see him get help for his drug issues because  
21 he has (indiscernible). And I would love to have him home. I  
22 really would.

23 THE COURT: Thank you very much, Ms. Bramlett.

24 MS. BRAMLETT: You're welcome.

25 THE COURT: Was there anything else that you wanted to

1 say, Ms. Bramlett?

2 MS. BRAMLETT: No, not unless you have any questions for  
3 me.

4 THE COURT: Thank you, ma'am.

5 MS. BRAMLETT: He will be living at 61 Vaughn Road in  
6 Duncan if he gets out.

7 THE COURT: He will be living in Duncan if he gets out?

8 MS. BRAMLETT: Yes, ma'am -- or yes, sir.

9 THE COURT: Thank you, ma'am.

10 MS. BRAMLETT: You're welcome. Thank you.

11 THE COURT: Mr. Edwards, is there anything that you would  
12 like to say, sir?

13 THE DEFENDANT: I know I did something wrong. I -- like  
14 the lawyer said, I do need help with drugs. And that's not me  
15 that would usually do anything like that. That's not the  
16 person I am.

17 THE COURT: Thank you, sir.

18 Mr. Edwards, has your federal attorney given you any kind  
19 of indication of what the sentencing guidelines are for the  
20 charge?

21 THE DEFENDANT: 151 months, sir.

22 THE COURT: And was that calculated prior to this guilty  
23 plea or did that take into account this guilty plea?

24 THE DEFENDANT: It takes into account of this guilty  
25 plea. (Indiscernible) it can be the difference between 135

1 months and 151 months depending if I get a year and a month or  
2 if I get probation and rehab, then it will be only one point  
3 against me, which would get me 135 months. But if I get over  
4 a year and a month, then it will put another three points on  
5 me and it will give me 151 months.

6 THE COURT: Right. Okay.

7 All right. Mr. Edwards, I understand, sir, that your  
8 intention that day was not necessarily to cause \$3 million in  
9 damage to a Walmart and that it was really just to try and  
10 shoplift some stuff by causing a distraction, and that's all  
11 understandable, Mr. Edwards, but you got to understand that  
12 any time you set a fire in a large public building like  
13 Walmart, you endanger not only the firefighters that have to  
14 respond but you endanger everybody in there -- men, women,  
15 children, people just going about their business shopping  
16 there. And people can panic. There can be stampedes. It can  
17 be a lot of loss of life. Thankfully that didn't happen here.

18 And so I have got to take that into account. And of  
19 course you come into this court without exactly the cleanest  
20 of records. You have had some contact with the system before  
21 and I do believe that you have a drug addiction. I believe  
22 that addiction is severe, and I'm trying to give you as much  
23 credit as I can for accepting responsibility for this but even  
24 in light of the 10 to 12 years you're looking at under the  
25 federal system, Mr. Edwards, this is not a case where I can

1 just do probation. All right? It's way too serious. Your  
2 record is way too long. And I would have to believe that you  
3 have had chances to get help before and it just hasn't  
4 happened or it didn't take, one or the other.

5 On this charge, Mr. Edwards, what I have done is I have  
6 given you a straight ten years. The sentence will be -- to be  
7 extent I have any power over it, it will be concurrent with  
8 any federal sentence that you receive and you do get credit  
9 for 564 days that you have served in jail.

10 I have asked also that you be screened for the addictions  
11 treatment unit while under the Department of Corrections. So  
12 you have got ten years to do on this, Mr. Edwards. I realize  
13 you're looking at 10 to 12 years in the federal system with no  
14 parole, but that will simply have to take into account the  
15 sentence imposed here. And, again, to the extent that it's  
16 possible, I have asked that it be run concurrent with your  
17 federal time.

18 Mr. Edwards, I do wish you luck, sir. Take care of  
19 yourself.

20 (At 11:10 a.m., the above hearing concluded.)

21

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## 1 CERTIFICATE OF TRANSCRIBER

2 CASE/NO.: State vs. Steven Edwards

3 2020-GS-32-00120

4 DATE OF PROCEEDING: November 2, 2020

5

6 I, Bobbi J. Fisher, do hereby certify that the  
7 foregoing transcript is a true and correct record of the  
8 recorded proceedings; that said proceedings were transcribed  
9 to the best of my ability from the audio recording and  
10 supporting information, and that I am neither counsel for,  
11 related to, nor employed by any of the parties to this case,  
12 and I have no interest, financial or otherwise, in its  
13 outcome.

14

15



17

---

18 Bobbi J. Fisher, RPR

19 NCRA Registered Professional Reporter (RPR)

20 Prepared: April 11, 2021

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STATE OF SOUTH CAROLINA )  
 COUNTY OF LEXINGTON )  
 )  
 State of South Carolina, )  
 )  
 v. )  
 )  
 Steven Dewayne Edwards )  
 )  
 Defendant. )

IN THE COURT OF GENERAL SESSIONS  
 FOR THE ELEVENTH JUDICIAL CIRCUIT

Warrant: 2020<sup>19</sup>AA4021601192  
 INDICTMENT 2020GS3200120

**MOTION TO RECONSIDER  
 SENTENCE**

The Defendant in the above-captioned matter respectfully moves the Court to reconsider and reduce the sentence it imposed on the Defendant on Monday, November 2, 2020 by the Hon. Frank R. Addy Jr.

As grounds for the reconsideration and reduction, the Defendant urges that the interests of justice will be served by the granting of this request as the defendant's criminal conviction history placed into the record by the state was not accurate. The Defendant will present further grounds as necessary, both in open court and *in camera* at such date and time as the Court deems appropriate to set such a hearing.

Respectfully submitted,



Ola Johnson  
 Attorney for Defendant

Lexington, South Carolina  
 November 4, 2020

LISA COMER  
 CLERK OF COURT  
 2020 NOV -4 PM 1:08

**FILED**

STATE OF SOUTH CAROLINA PH 3:13  
COUNTY OF LEXINGTON  
STATE OF SOUTH CAROLINA

USA M. COMER  
CLERK OF COURT  
LEXINGTON, SC

IN THE COURT OF GENERAL SESSIONS  
ELEVENTH JUDICIAL CIRCUIT

**AMENDED MOTION TO RECONSIDER  
SENTENCE**

vs.

**STEVEN D. EDWARDS  
DEFENDANT**

WARRANT 2019A4021601192  
INDICTMENT 2020GS3200120

**RECEIVED**

FEB 16 2021

**SC Court of Appeals**

**PLEASE TAKE NOTICE THAT** on February 3, 2021 or as soon after that date this motion may be scheduled, the Defendant in the above-captioned matter respectfully moves this Honorable Court to reconsider and reduce the sentence it imposed on the Defendant on Monday, November 2, 2020 by the Hon. Frank R. Addy, Jr. This motion adopts and includes all grounds in the original motion to reconsider sentence filed and served on all parties November 4, 2020.

As grounds for the reconsideration and reduction the Defendant asserts that the history of criminal convictions placed into the record by the state was not accurate. Specifically, the defendant's position is that the Probation Violation listed in Clayton County, Georgia on February 13, 2015 as a revocation was actually dismissed (Clayton County State Court, Charge Number 88398305004001) and the defendant has had a very limited history since 2006 with the solicitor listing a Receiving Stolen Goods conviction in 2018 that was a magistrate level offense. The defendant was working full time during this period for a company named Retail Repair and part time HVAC work with family members to support his 3 children ages 4, 10 and 11. Defendant also asserts that he was a minor (17 Y.O.A.) at the time of the charges listed in 1995 and that these were part of a juvenile record that should not be considered by the court.

Wherefore, the Defendant prays his sentence be reduced.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ola Johnson', written over a horizontal line.

Ola Johnson  
Attorney for Defendant

February 3, 2021

STATE OF SOUTH CAROLINA  
COUNTY OF LEXINGTON

IN THE COURT OF GENERAL SESSIONS  
2020-GS-32-120

STATE of SOUTH  
CAROLINA,

ORDER DENYING RECONSIDERATION OF  
SENTENCE IMPOSED

-v-

STEVEN D.  
EDWARDS,  
*Defendant.*

RECEIVED

FEB 16 2021

SC Court of Appeals

Addy, J.

**THIS MATTER ORIGINALLY CAME BEFORE THE COURT** on November 2, 2020 wherein the Defendant entered a plea of guilty to the charge of Arson 3<sup>rd</sup> Degree. He was represented by Ola Johnson, Esq., and the State was represented by Assistant Solicitor Russell Parker. The Court imposed an active sentence of ten (10) years. Mr. Edwards timely moved for reconsideration of his sentence, and the Court has reviewed the written motion filed by counsel dated February 3, 2020. The Court also reviewed the Court's notes and the redacted criminal history furnished by the solicitor. Having reconsidered the sentence imposed and for the following reasons, the Court declines to convene a hearing and reaffirms the sentence previously imposed.

Having reviewed the above documents, the Court has a firm, clear recollection of the plea. The allegations in this case involve Mr. Edwards intentionally setting a fire in the Lexington WalMart to create a distraction so that he and his co-defendants could shoplift. He is also facing federal charge and had pled guilty to those charges at the time of this plea. In his motion, Mr. Edwards takes issue with his 1995 conviction for robbery, asserting that it should not be considered by the Court because he was a juvenile. He also notes that the 2018 conviction for receiving stolen goods was a magistrate's offense and asserts that the probation revocation from Georgia was actually dismissed. He is also correct that his criminal history reveals a gap in time where he was able to comport himself with the requirements of the law.

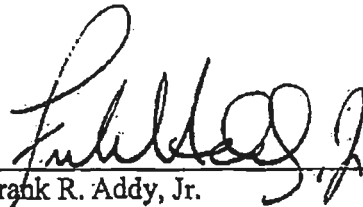
Although Mr. Edwards' criminal history is concerning, even if one were to set aside consideration of the above charges, the primary driver of the sentence was the factual allegations as coupled with his admitted criminal history. Roughly \$3 million in damage was done to the

store's inventory. Furthermore, igniting a blaze in a popular retail venue, even if the blaze is set at night, poses a serious potential risk to the general public, store employees, and firefighters who are summoned to extinguish the fire. Mr. Edwards is lucky that no one was seriously injured by his actions.

The Court also fully considered Mr. Edwards' family situation, his severe meth and heroin addiction, his professed desire for treatment, and his positive prospects for employment. However, based upon the serious nature of the crime, the potential for injury to innocent third parties, the substantial cost in inventory which was damaged or had to be discarded, and his uncontested criminal history, the Court finds that the sentence imposed remains warranted even after taking into account the mitigation presented.

**WHEREFORE**, having fully reconsidered the ten (10) year sentence imposed, Mr. Edwards' motion for reconsideration is denied.

**IT IS SO ORDERED.**



Frank R. Addy, Jr.  
Presiding Circuit Judge

February 4, 2021  
Greenwood, South Carolina

WITNESSES

Columbia Police Department

Matthew P Jenkins

Law Enforcement Case #: 190010190

NRP

ARREST WARRANT NUMBER

2019A4021601192

ACTION OF GRAND JURY

**TRUE BILL**

*Chloe Edwards*  
Foreperson of Grand Jury  
Date: 3/09/20

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2020GS3200120

**The State of South Carolina**

**County of Lexington**

COURT OF GENERAL SESSIONS

MARCH TERM 2020

THE STATE

vs.

**Steven Dewayne Edwards**

CDR #: 2551

Indictment for

Arson, 2nd degree

§ 16-11-0110(B)

**S.R. Hubbard III, SOLICITOR**


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Arson, 2nd degree  
  
§ 16-11-0110(B)

At a Court of General Sessions, convened on January 2020, the Grand Jurors of Lexington County present upon their oath:

That Steven Dewayne Edwards did in Lexington County, South Carolina, on or about April 16, 2019, wilfully and maliciously cause an explosion, set fire to, burn, or cause to be burned or aided, counseled, or procured a burning that resulted in damage to a dwelling house, church or place of worship, public or private school facility, manufacturing plant or warehouse, building where business is conducted, institutional facility, or any structure designed for human occupancy including local and municipal buildings, whether the property of the person or another; to wit: lighting a fire causing approx \$5,000,000 in damage to Walmart, located at 360 Harbison Blvd in the Columbia area of Lexington County, in violation of §16-11-110(B) of the South Carolina Code of Laws of 1976, as amended.

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

  
\_\_\_\_\_  
ASSISTANT SOLICITOR

0-15 years

STATE OF SOUTH CAROLINA )

COUNTY OF Lexington )  
STATE VS. )

Steven Dewayne Edwards )

AKA: )

Race: White Sex: M Age: 43 )

DOB: [redacted] SS#: [redacted] )

Address: [redacted] Dr )

City, State, Zip: Gaston, SC 290538771 )

DL#: [redacted] SID#: )

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was  
TO: Arson / Arson - Third Degree (effective 06-02-2010)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2020GS3260120

A/W#: 2019A4021601192

Date of Offense: 4/19/2019

S.C. Code § : 16-11-0110(B)

CDR Code #: 2551

SENTENCE SHEET

CONVICTED OF or  PLEADS

In violation of § 16-11-0110(C) of the S.C. Code of Laws, bearing CDR Code # 3425

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45

(CSC whether 1st or CSC within 3rd)

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: Nelson Parker Jr 102091 [Signature] [Signature] (P. 163)

Solicitor

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,

for a determinate term of 10 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 probation for \_\_\_\_\_

with \_\_\_\_\_ 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: Any federal sentence

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

audit 564 days = paid.

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 16-23-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waiver Hearing  Ordered PUP

Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_

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

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

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

\*Fine: \_\_\_\_\_ \$

§ 14-1-206 (Assessments (07.5%)) \_\_\_\_\_ \$

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$109 \$

§ 56-5-2995 (DUI Assessment) \$12 \$

§ 56-1-286 (DUI Breath Test) \$25 \$

Proviso (Public Def/Probation) \$500 \$

§ 14-1-212 (Low Effort. Funding) \$25 \$ 25

§ 14-1-213 (Drug Court Surcharge) \$150 \$

§ 30-21-114 (DUI Breath Test Fee) \$50 \$

§ 56-5-2942(D) (Vehicle Assessment) \$40/ea \$

3% to County (if paid in installments) \$

TOTAL \$ 125

Clerk of Court/ Deputy Clerk: Melinda Jones

Court Reporter: Melinda Jones

SCCA 717 (04-2018)

\_\_\_\_\_ 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 \$ \_\_\_\_\_ beginning \_\_\_\_\_

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

Other: \*ATU\*

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

Presiding Judge: [Signature]

Judge Code: 2159

Sentence Date: Nov. 2, 2020

## 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 April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

**RECEIVED**

**Sep 03 2021**

**SC Court of Appeals**

*Vict R. Seeger*

Victor R Seeger  
Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 3<sup>rd</sup> day of September, 2021.