

VOLUME II OF II

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Sep 07 2021

SC Court of Appeals

Appeal from Cherokee County

Honorable R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BRYSON JAMAR SMITH,

APPELLANT

APPELLATE CASE NO. 2020-001499

RECORD ON APPEAL

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ATTORNEYS FOR RESPONDENT

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THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:

STATE’S EXHIBIT NO. 21 (DISK OF JAIL CALLS)

1 MR. KENDALL: Your Honor, would the Court
2 have an objection to me printing off a copy of his
3 record and submitting it as part of the record.

4 THE COURT: I don't an objection. Do you
5 have any objection, Mr. Schultz?

6 MR. SCHULTZ: This is the NCIC, I want to
7 make it part of the record and make I got all of
8 it.

9 MR. SCHULTZ: They probably should be
10 certified copies.

11 MR. KENDALL: Your Honor, I just want the
12 NCIC.

13 MR. SCHULTZ: I would object to the NCIC.
14 I think they should be certified.

15 THE COURT: Do you want to get a
16 certified copy and put it in?

17 MR. KENDALL: I can, Your Honor.

18 THE COURT: All right.

19 (The trial was concluded.)

20 THE BAILIFF: Come to order.

21 THE COURT: Thank you. Please be seated.

22 I think we need to go back on the record
23 on Mr. Smith.

24 MR. KENDALL: Yes, sir, Your Honor. I
25 thank you. I apologize for this. I went and got

1 the certified copies of Mr. Smith convictions.
2 I'd like to just enter it in the record as State's
3 Exhibit 47. I don't believe any ranges or
4 anything have changed, but there was one that I
5 read it as cocaine. I believe it was based on
6 NCIC. It was actually something different.

7 So his criminal convictions are from
8 2012, manufacture, distribution of cocaine base,
9 2012, possession of more than one ounce of
10 marijuana. From 2012, assault and battery in the
11 2nd degree, a 2013, conviction date on that. From
12 2016, possession of marijuana, first offense.
13 From 2016, possession of MDEA. From 2016,
14 manufacture, distribution of methamphetamine. And
15 non-violent is marked, and serious is not marked,
16 so I assume that was not a manufacture.
17 Manufacture, distribution, et cetera of cocaine
18 base, also from 2016. Unlawful carrying of pistol
19 from 2016. And sale for the delivery of pistols,
20 possessions by certain persons, unlawful or a
21 stolen pistol, also from 2016.

22 I'd like to just enter this into the
23 record. Like I said, I don't believe this affects
24 any sentencing ranges, or anything like that. But
25 the substance I had was incorrect. It was not

1 cocaine that he plead guilty to. It was MDEA. I
2 don't believe it's a substantial difference, but I
3 wanted to make the Court and the defendant aware,
4 if that's affects anything.

5 We would also ask the defendant be
6 advised of his appellate rights, just for the
7 record, Your Honor.

8 THE COURT: Is that a joint exhibit, or a
9 State's Exhibit?

10 MR. KENDALL: It can be a State's
11 Exhibit, Your Honor. We would just offer it for
12 sentencing.

13 THE COURT: Okay.

14 MR. KENDALL: So it's on the record and
15 the Court can look at it.

16 THE COURT: Mr. Schultz.

17 MR. SCHULTZ: First off, as a matter of
18 housekeeping, I have no objection to the entry of
19 that. Mr. Kendall is correct. Previously, he
20 read Mr. Smith's record out as having a conviction
21 for a cocaine charge. That is incorrect. I
22 believe it is MDMA. I think it was possession of
23 MDMA.

24 MR. KENDALL: I think it was actually
25 MDEA on the sentencing sheet. It was my mistake.

1 It's what is written on there.

2 MR. SCHULTZ: But I believe, unless
3 Mr. Kendall can correct me, that it's the same
4 schedule narcotics. So I do not believe that it
5 affects the sentencing range. I would ask the
6 Court accept the current sentence in light of that
7 new thing.

8 But I know the Court or I will advise
9 Mr. Smith of his appellate rights. We plan on an
10 appeal, or he plans on appealing. I'm going to
11 file the notice of appeal per my retainer
12 agreement.

13 And that's all I have. Thank you.

14 THE COURT: Okay. There is no objection.
15 Mr. Smith for the record is in the courtroom with
16 us with his lawyer, so he's present for all
17 proceedings. Mr. Schultz and Mr. Kendall are in
18 agreement now. It's on the record. It's now made
19 a part of the Court's exhibits.

20 (STATE EXH. 47, Criminal record, was marked
21 entered into evidence.)

22 THE COURT: And the Court understands
23 that defense counsel has discussed his, being
24 Mr. Smith's, appellate rights with him. And, per
25 your retainer agreement, you will be filing a

1 notice of appeal on his behalf so that he can be
2 properly protected.

3 MR. SCHULTZ: Yes, sir.

4 THE COURT: Mr. Smith, you're in the
5 courtroom so you heard all that.

6 Anything further?

7 MR. KENDALL: No, sir.

8 MR. SCHULTZ: No, sir.

9 THE COURT: All right, Very good. That
10 will conclude this matter.

11 Congratulations, Gentlemen. And thank
12 you both for trying a good case.

13 MR. KENDALL: Thank you, Judge.

14 MR. SCHULTZ: Thank you, Judge.

15 THE COURT: Let me do this, too, while
16 he's still present in the courtroom.

17 Mr. Schultz made a motion here, a verbal
18 motion to reconsider the sentence and that motion is
19 denied.

20 MR. SCHULTZ: Thank you, Judge.

21 MR. KENDALL: Thank you, Judge.

22 THE COURT: Thank you.

23 (The trial was concluded at 2:07 p.m.)

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CERTIFICATE OF REPORTER

I, SHARON G. HARDOON, Official Circuit Court Reporter, III for the State of South Carolina at Large, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in General Sessions for Cherokee County, Gaffney, South Carolina.

I do further certify that I am neither kin, counsel, nor interest to any party hereto.

May 3, 2021



Sharon G. Hardoon, CSR
Official Circuit Court Reporter, II

Author

Buddy Dawkins (100001847280303)

Sent 2019-08-07 18:13:26 UTC**Body** Ahhh**Author** Sadi Littlejohn (100011723017920)**Sent** 2019-08-08 06:32:18 UTC**Body** Hey wassup**Thread** (2926544927417055)**Current** 2019-08-12 07:06:29 UTC**Participants** Adonis P Willis (100037201642581)

Buddy Dawkins (100001847280303)

Author Adonis P Willis (100037201642581)**Sent** 2019-08-06 20:34:09 UTC**Body** Wuzz up buzz**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-06 20:34:34 UTC**Body** Sup**Author** Adonis P Willis (100037201642581)**Sent** 2019-08-06 20:34:47 UTC**Body** Got sime loud**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-06 20:34:55 UTC**Body** Waiting**Author** Adonis P Willis (100037201642581)**Sent** 2019-08-06 20:35:10 UTC**Body** Ok hml big homie**Author** Adonis P Willis (100037201642581)**Sent** 2019-08-09 16:52:30 UTC**Body** Cuzz you got some beans**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-09 16:53:43 UTC**Body** I can go get them**Author** Adonis P Willis (100037201642581)**Sent** 2019-08-09 16:54:41 UTC**Body** He'll I did want that many you don't have to go out your way Buzz**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-09 16:55:03 UTC**Body** Bet I can get percs too**Author** Adonis P Willis (100037201642581)**Sent** 2019-08-09 16:55:37 UTC**Body** Oh I don't do them**Author** Adonis P Willis (100037201642581)**Sent** 2019-08-10 14:48:02 UTC

Author

Buddy Dawkins (100001847280303)

Sent 2019-08-06 02:59:35 UTC**Body** Hit me for 5 bands kuz**Author** Q Longway Horton (100002837574346)**Sent** 2019-08-06 03:00:17 UTC**Body** Shid**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-06 03:10:55 UTC**Body** Hell yea**Author** Q Longway Horton (100002837574346)**Sent** 2019-08-06 03:12:03 UTC**Body** Cnt trust these niggas fam tgey be hating on the low**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-06 03:16:42 UTC**Body** Fr fam**Author** Q Longway Horton (100002837574346)**Sent** 2019-08-06 03:17:19 UTC**Body** I got u wen i see him tho on my gma**Author** Q Longway Horton (100002837574346)**Sent** 2019-08-10 06:44:15 UTC**Body** Wassup cuh im fuck up give me three run we go eat on my geandma gloria fwm i aint never shited u**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-10 14:04:05 UTC**Body** What you tryna get fam**Author** Q Longway Horton (100002837574346)**Sent** 2019-08-10 14:39:09 UTC**Body** Weed**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-10 15:23:51 UTC**Body** Only got percs right now**Author** Q Longway Horton (100002837574346)**Sent** 2019-08-11 00:38:53 UTC**Body** Word word**Thread** (1038671742824193)**Current** 2019-08-12 06:39:20 UTC**Participants** Alexis Byars (100000441326223)

Buddy Dawkins (100001847280303)

Author Alexis Byars (100000441326223)**Sent** 2019-08-10 15:59:58 UTC**Body** Otw. Lol**Author** Buddy Dawkins (100001847280303)

Body

Buzz you good I see your post Hit me up if you need me I'm coming

Author Buddy Dawkins (100001847280303)

Sent 2019-08-10 15:20:45 UTC

Body Bet

Author Adonis P Willis (100037201642581)

Sent 2019-08-10 15:22:04 UTC

Body 8646199337

Thread (919641988107369)

Current 2019-08-12 07:06:29 UTC

Participants Thomas Petty (100006094961419)

Buddy Dawkins (100001847280303)

Author Thomas Petty (100006094961419)

Sent 2019-08-07 10:48:06 UTC

Body Yoo

Author Buddy Dawkins (100001847280303)

Sent 2019-08-07 12:48:18 UTC

Body Sup bro

Author Thomas Petty (100006094961419)

Sent 2019-08-07 12:52:15 UTC

Body Shit bored,you in the hood

Author Thomas Petty (100006094961419)

Sent 2019-08-09 02:33:40 UTC

Body The video chat ended.

Author Thomas Petty (100006094961419)

Sent 2019-08-09 12:17:32 UTC

Body You up

Author Buddy Dawkins (100001847280303)

Sent 2019-08-09 13:24:48 UTC

Body Just got up

Thread (1020767547994812)

Current 2019-08-12 07:06:29 UTC

Participants Joshua Lindsay (100003001663454)

Buddy Dawkins (100001847280303)

Author Buddy Dawkins (100001847280303)

Sent 2019-08-08 18:10:30 UTC

Body You sent a photo.

Attachments image-472724480216145 (472724480216145)

Type image/jpeg

Size 65400

URL https://attachment.fbsbx.com/messaging_attach

Body

Josh called you.

Author Buddy Dawkins (100001847280303)

Sent 2019-08-09 01:52:05 UTC

Body Yo

Author Josh Mata (100015466029465)

Sent 2019-08-09 01:52:30 UTC

Body Whats poppin

Author Buddy Dawkins (100001847280303)

Sent 2019-08-09 02:05:07 UTC

Body You in for tha night

Author Josh Mata (100015466029465)

Sent 2019-08-09 02:18:23 UTC

Body Yea bro

Author Buddy Dawkins (100001847280303)

Sent 2019-08-09 23:14:16 UTC

Body Wya

Author Josh Mata (100015466029465)

Sent 2019-08-09 23:17:46 UTC

Body Home

Author Buddy Dawkins (100001847280303)

Sent 2019-08-10 21:05:20 UTC

Body I'll give you a gram to use your car

Author Josh Mata (100015466029465)

Sent 2019-08-10 21:14:01 UTC

Body You missed a call from Josh.

Author Josh Mata (100015466029465)

Sent 2019-08-10 21:14:10 UTC

Body Come get it

Author Josh Mata (100015466029465)

Sent 2019-08-10 21:16:08 UTC

Body You missed a call from Josh.

Author Buddy Dawkins (100001847280303)

Sent 2019-08-10 21:20:01 UTC

Body You called Josh.

Author Buddy Dawkins (100001847280303)

Sent 2019-08-12 00:04:22 UTC

Body Yo

Author Josh Mata (100015466029465)

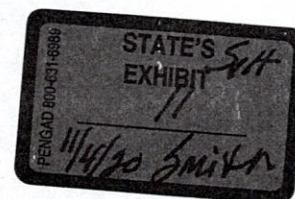
Sent 2019-08-12 00:04:49 UTC

Body Yo

Author Buddy Dawkins (100001847280303)

Sent 2019-08-12 00:05:00 UTC

Body Wya



Author

Josh Mata (100015466029465)

Sent 2019-08-12 00:05:18 UTC**Body** Grandma house**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-12 00:06:30 UTC**Body** Come out I got you**Author** Josh Mata (100015466029465)**Sent** 2019-08-12 00:07:03 UTC**Body** Ok**Author** Josh Mata (100015466029465)**Sent** 2019-08-12 00:24:24 UTC**Body** Omw**Thread** (921937597877808)**Current** 2019-08-12 06:39:18 UTC**Participants** Keiayrria Dawkins (100004791252013)

Buddy Dawkins (100001847280303)

Author Keiayrria Dawkins (100004791252013)**Sent** 2019-08-05 00:49:39 UTC**Body** 864-300-9949 call my phone**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-05 00:50:35 UTC**Body** I did**Author** Keiayrria Dawkins (100004791252013)**Sent** 2019-08-12 00:48:36 UTC**Body** That boy bagged in sitting outside Felicia house**Thread** (2957440164327531)**Current** 2019-08-12 06:39:18 UTC**Participants** Pital Pee (100039410709080)

Buddy Dawkins (100001847280303)

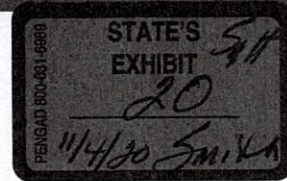
Author Pital Pee (100039410709080)**Sent** 2019-08-07 22:37:38 UTC**Body** The video chat ended.**Author** Pital Pee (100039410709080)**Sent** 2019-08-09 01:51:50 UTC**Body** The video chat ended.**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-09 02:05:35 UTC**Body** The video chat ended.**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-10 02:13:41 UTC

Author

Buddy Dawkins (100001847280303)

Sent 2019-08-10 14:05:38 UTC**Body** A lil bit of everything**Author** Marlo Parker (100003696398111)**Sent** 2019-08-10 14:09:34 UTC**Body** Marlo called you.**Author** Marlo Parker (100003696398111)**Sent** 2019-08-12 01:49:06 UTC**Body** I love you fool [REDACTED]**Thread** (10207414827028959)**Current** 2019-08-12 06:39:18 UTC**Participants** Darryl Bobo (1235754241)
Buddy Dawkins (100001847280303)**Author** Darryl Bobo (1235754241)**Sent** 2019-08-11 21:37:59 UTC**Body** Yo**Thread** (2194343250637230)**Current** 2019-08-12 06:39:18 UTC**Participants** Josh Mata (100015466029465)
Buddy Dawkins (100001847280303)**Author** Josh Mata (100015466029465)**Sent** 2019-08-01 03:32:48 UTC**Body** Josh sent an attachment.**Share** - **Date Created** 2019-08-01 03:32:48 UTC**Text****Title** Status Update**Url** <https://www.facebook.com/BMneSuperTeam/posts/1917827508363821>**Author** Josh Mata (100015466029465)**Sent** 2019-08-01 19:56:32 UTC**Body** Come to 1000 got u 85 right now**Author** Josh Mata (100015466029465)**Sent** 2019-08-01 22:15:04 UTC**Body** The video chat ended.**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-05 23:20:44 UTC**Body** Josh missed your video chat.**Author** Buddy Dawkins (100001847280303)**Sent** 2019-08-05 23:39:13 UTC**Body** Ah was up

Service Facebook
Target 100001847280303
Account Identifier https://www.facebook.com/bryson.smith.587
Account Type User
Generated 2019-09-17 00:09:02 UTC
Date Range 2019-08-01 00:00:00 UTC to 2019-08-12 23:59:59 UTC



Ncmec Reports Definition NCMEC Cybertips: NCMEC cybertip reports associated to the account of the sender.
 CyberTip ID: Unique identifier associated with the cybertip.
 Time: Date and time the NCMEC cybertip was sent.
 Responsible Id: Identification number of the sender's Facebook account associated with the NCMEC cybertip report.
 Media uploaded in this cybertip: Media associated with the cybertip.
 Id: Unique identifier associated with the media.
 Upload Time: Date and time account holder uploaded the content.
 Ncmec File Id: NCMEC Identifier associated with the cybertip.
 Recipients: The account holder that received the content.

NCMEC CyberTip Numbers No responsive records located

Name Definition Name: Name provided by the account holder.
 First: First name provided by the account holder.
 Middle: Middle name provided by the account holder.
 Last: Last name provided by the account holder.

Name
First Buddy
Middle
Last Dawkins

Emails Definition Registered Email Addresses: Displays a list of registered email addresses. To "register" an address, it requires confirmation by the account holder.

Registered Email Addresses bryson.smith87@yahoo.com
 bryson.smith.587@facebook.com

Vanity Definition Vanity: Username associated with the account.

Vanity Name bryson.smith.587

Registration Date Definition Registration Date: Date and time of account creation.

Registration Date 2010-11-08 22:05:12 UTC

WITNESSES

Cherokee County Sheriff's Office

ARREST WARRANT(S)

2019A1110100985

ACTION OF GRAND JURY

TRUE BILL

Caroline Tagne

Foreperson of Grand Jury

Date:

VERDICT

Guilty

Foreperson of Petit Jury

Date: 11/6/20

DOCKET NO.

20-GS-11-01147

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

September 8, 2020 TERM

THE STATE

vs.

Bryson Jamar Smith

Indictment for

POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA

SC Code: 44-53-370

FILED IN OFFICE OF CLERK OF COURT CHEROKEE COUNTY, S.C.

2020 SEP -8 AM 10:38

BRANDY W. MCBEE

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHEROKEE)

INDICTMENT

At a Court of General Sessions, convened on September 8, 2020 the
 Grand Jurors of Cherokee County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA

That Bryson Jamar Smith did in Cherokee County on or about August 12, 2019, manufacture, distribute, dispense, deliver, purchase or aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with intent to manufacture, distribute, dispense, deliver, or purchase a quantity of Marijuana, a schedule I controlled substance, defined by §44-53-190 of the SC Code of Laws, (1976), as amended, done in violation of §44-53-370, of the SC Code of Laws, (1976), as amended, such possession not having been authorized by law.

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


 ASSISTANT SOLICITOR

WITNESSES

Cherokee County Sheriff's Office

ARREST WARRANT NUMBER

2019A1110100987

ACTION OF GRAND JURY

TRUE BILL

Caroline Taglia

Foreperson of Grand Jury

Date:

VERDICT

Guilty

Foreperson of Petit Jury

Date: 11/6/20

DOCKET NO. 20-GS-11-01148

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

September 8, 2020 TERM

THE STATE

vs.

Bryson Jamar Smith

Indictment for

POSSESSION WITH INTENT TO DISTRIBUTE
COCAINE

SC Code: 44-53-370

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.

2020 SEP -8 AM 10:38

BRANDY W. MCBEE

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHEROKEE)

INDICTMENT

At a Court of General Sessions, convened on September 8, 2020, the
 Grand Jurors of Cherokee County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE COCAINE

That Bryson Jamar Smith, did in Cherokee County on or about August 12, 2019, manufacture, distribute, dispense, deliver, purchase or aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver or purchase a controlled substance, to wit: a quantity of Cocaine, a schedule II controlled substance under provisions of §44-53-110, in violation of §44-53-370 CODE OF LAWS OF SOUTH CAROLINA, (1976), as amended, such possession not having been authorized by law.

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


 Assistant Solicitor

WITNESSES

Cherokee County Sheriff's Office

[Handwritten signature]

ARREST WARRANT NUMBER

2019A1110100988

ACTION OF GRAND JURY

TRUE BILL

Caroline Taylor

Foreperson of Grand Jury

Date:

VERDICT

Guilty

J. P. Smith

Foreperson of Petit Jury

Date: *11/6/20*

DOCKET NO. **20-GS-11-01149**

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

September 8, 2020 TERM

THE STATE

vs.

Bryson Jamar Smith

Indictment for

TRAFFICKING IN METHAMPHETAMINE

SC Code: 44-53-375

CDR: 450

CLASS: FEL/F

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.

2020 SEP -8 AM 10:38

BRANDY W. MCBEE

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHEROKEE)

INDICTMENT

At a Court of General Sessions, convened on September 8, 2020, the
 Grand Jurors of Cherokee County present upon their oath:

TRAFFICKING IN METHAMPHETAMINE

That Bryson Jamar Smith, did in Cherokee County on or about August 12, 2019, knowingly sell, manufacture, deliver, purchase or bring into this State, or did provide financial assistance or did otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or did knowingly actually or constructively possess, or did knowingly attempt to actually or constructively possess (10) ten grams or more, but less than (28) twenty-eight grams of Methamphetamine, a schedule II controlled substance, in violation of §44-53-375, *THE CODE OF LAWS OF SOUTH CAROLINA, (1976)*, as amended.

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


 ASSISTANT SOLICITOR

WITNESSES

Cherokee County Sheriff's Office

[Handwritten signature]

ARREST WARRANT NUMBER

2019A1110100989

ACTION OF GRAND JURY

TRUE BILL

Caroline Tager

Foreperson of Grand Jury

Date:

VERDICT

Guilty

J. [Signature]

Foreperson of Petit Jury

Date: *11/6/20*

DOCKET NO. **20-GS-11- 01150**

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

September 8, 2020 TERM

THE STATE

vs.

BRYSON JAMAR SMITH

Indictment for

POSSESSION WITH INTENT TO
DISTRIBUTE FENTANYL

SC Code: 44-53-370

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.

2020 SEP -8 AM 10:38

BRANDY W. MCBEE

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHEROKEE)

INDICTMENT

At a Court of General Sessions, convened on September 8, 2020 the
 Grand Jurors of Cherokee County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE FENTANYL

That Bryson Jamar Smith did in Cherokee County on or about August 12, 2019, distribute, dispense, deliver, purchase or aid, abet, attempt, or conspire to distribute, dispense, deliver, or purchase, or possess with intent to distribute, dispense, deliver, or purchase a controlled substance, to-wit: a quantity of Fentanyl, a schedule II controlled substance, in violation of §44-53-370, OF THE CODE OF LAWS OF SOUTH CAROLINA, (1976), as amended, such possession not having been authorized by law.

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



 ASSISTANT SOLICITOR

WITNESSES

Cherokee County Sheriff's Office

[Handwritten signature]

ARREST WARRANT NUMBER

DIRECT INDICTMENT

ACTION OF GRAND JURY

TRUE BILL

Caroline Taylor

Foreperson of Grand Jury

Date:

VERDICT

Guilty

J. Phelan

Foreperson of Petit Jury

Date: *11/6/20*

DOCKET NO. **20-GS-11- 01151**

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

September 8, 2020 TERM

THE STATE

vs.

BRYSON JAMAR SMITH

Indictment for

TRAFFICKING IN HEROIN

SC Code: 44-53-370

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.

2020 SEP -8 AM 10:38

BRANDY W. MCBEE

STATE OF SOUTH CAROLINA }
 COUNTY OF CHEROKEE }

INDICTMENT

At a Court of General Sessions, convened on September 8, 2020 the
 Grand Jurors of Cherokee County present upon their oath:

TRAFFICKING IN HEROIN

That Bryson Jamar Smith did in Cherokee County on or about August 12, 2019, knowingly sell, manufacture, deliver, purchase, or bring into this State, or did provide financial assistance or did otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or did knowingly actually or constructively possess, or did knowingly attempt to actually or constructively possess (4) four grams or more, but less than (14) fourteen grams of Heroin, a schedule I controlled substance, in violation of §44-53-370, *THE CODE OF LAWS OF SOUTH CAROLINA, (1976)*, as amended.

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


 ASSISTANT SOLICITOR

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."

RECEIVED**Sep 07 2021****SC Court of Appeals**

Respectfully Submitted,



Adam Sinclair Ruffin
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 7th day of September, 2021.