

# The South Carolina Court of Appeals

The State, Respondent,

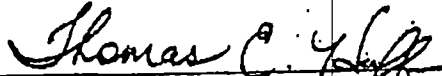
v.

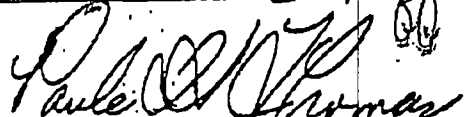
Bruce Allen Buckner, Appellant.

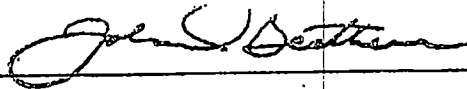
Appellate Case No. 2021-000635

## ORDER

Appellant has filed a deficiency correction, which this Court construes as a petition to rehear the dismissal of this appeal. After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.<sup>1</sup>

  
\_\_\_\_\_ J.

  
\_\_\_\_\_ J.

  
\_\_\_\_\_ J.

Columbia, South Carolina

cc:

Daniel Keith Porter, Esquire  
Alan McCrory Wilson, Esquire  
William M. Blich, Jr., Esquire

**FILED**  
**Sep 13 2021**

<sup>1</sup> Because Appellant's petition for rehearing is denied, this Court will take no further action on Appellant's remaining motions.

Your Honors,

I am a Pro se Defendant from York County with a good understanding of the United States Constitution and my rights as a citizen. "Plain Errors OF law" have been made in this case which have violated my constitutional rights. Please read the Defendants Brief which the Appeallate Court Clerk failed to file twice and make a fundamentally fair ruling on the facts.

Also the Pro se Defendant filed Bills Of Exception in the Lower Court because the Prentice Hall's Dictionary states; "Bills Of Exception are the proper way of filing written objections for the permanent record, for appeallate consideration."

Respectfully,

9/27/21

Bruce Allen Buckner

*Bruce Allen Buckner*

**RECEIVED**

OCT 07 2021

S.C. SUPREME COURT

5

In The South Carolina Court Of Appeals

**RECEIVED**

SEP 15 2021

SC Court of Appeals

The State

v.

Bruce Allen Buckner

Appellate Case No. 2021-000635

Appeal Brief

Pro se Defendant From The  
Sixteenth Judicial Circuit

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On the 16<sup>th</sup> of January, 2020 the Rock Hill Police violated the Defendant's right to privacy by making an unwarranted and unlawful entry search of the Defendant's privately rented room at the Ramada Inn in Rock Hill South Carolina. The police officers knocked on the Defendant's door asking for Jackie Petty and got the Defendant to open the door. The Defendant told the officers Jackie Petty had never been in the room but the police officers asked for ID's and step inside the room. The police did not have reasonable suspicion or probable cause to believe Jackie Petty was in the room because Jackie Petty had been in jail more than 24 hours. The police searched looking into cloth baskets and into a nightstand which Jackie Petty could not have been hiding in.

After searching the room the police asked the Defendant to sign a consent to search form but the Defendant refused after learning that Jackie Petty had been arrested on the 15<sup>th</sup> of January, 2020. The police then put the Defendant and a girlfriend in handcuffs and put them on the bed. The police then used what they had seen while searching (looking) into the Defendant's things to ask a Judge to sign a search warrant, but the search warrant was not obtain until the 17<sup>th</sup> of January, 2020. Hours after the first search to obtain the probable cause for the search warrant. The police reports and body cams prove these facts.

Bruce Allen Buckner

The State Of South Carolina  
County Of York  
Bruce Allen Buckner  
Defendant  
V.

In The Court Of General Sessions  
Sixteenth Judicial Circuit  
Warrant Nos.; 2020A4620300202;  
2020A4620300203; 2020A4620300204  
Motion To Suppress All Evidence  
Obtained In Violation Of The  
Defendants Fourth Amendment  
Rights

The Rock Hill Police in this case unlawful entered the Defendants privately rented room without any kind of warrant and without any exigent circumstances by using deception, tricks and misrepresentation to gain consent to enter.

This was a violation of South Carolina Code Annotated 16-11-320 "Unlawful Entry", and the South Carolina Constitution, in which the Defendant has a right to be free from unreasonable invasion of privacy in Art. I, sec. 10.

This was a violation of South Carolina Code of law 16-11-620 "Common Law Trespassing" and violated the Defendants Fourth Amendment rights which makes everything inadmissible as fruit of the poisonous tree from the unlawful entry.

Therefore the Defendants request all the unlawfully obtained evidence be suppressed under the laws of this State and the United States.

Respectfully,

Date

12/29/20

Bruce Allen Buckner

Bruce Allen Buckner

The State Of South Carolina / In The Court Of General Sessions

County Of York / Sixteenth Judicial Circuit

Bruce Allen Buckner / Warrant Nos.; 2020A4620300202;

Defendant / 2020A4620300203; 2020A4620300204

v. / Motion To Suppress Defective

The State Of South Carolina / Unsigned Arrest Warrants

---

The Defendant never got copies of the arrest warrants at the time of his arrest, but the copies in the Discovery Pack show the affidavits were not signed by the arresting officer, and the arrest warrants were not signed by a Magistrate or Municipal Judicial Officer.

This is a violation of South Carolina Code of Law 17-13-140 "Endorsement". Under South Carolina Code Annotated 17-13-140 it states, "without a Magistrate or Municipal Judicial Officers signature a warrant is not issued within the means of South Carolina law."

See 77-370 SC Op. Atty Gen. 295 (1977) (stating a warrant is properly issued only when signed by the Magistrate and only upon a sworn affidavit).

Therefore, the Defendant request the defective arrest warrant be suppressed.

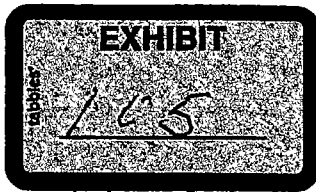
Respectfully,

Date

12/29/20

Bruce Allen Buckner

Bruce Allen Buckner



The State Of South Carolina  
County Of York  
Bruce Allen Buckner

In The Court Of General Sessions  
Sixteenth Judicial Circuit  
Warrant Nos., 2020A4620300202,  
2020A4620300203, 2020A4620300204

The State Of South Carolina

Bill Of Exception

The Defendant as pro se counsel objects to Judge McKinnon's ruling for permanent record for the Appellate Court to consider.

The Defendant objects to Judge McKinnon's ruling on consent search. A Defendant can not knowingly and intelligently waive his or her Fourth Amendment right, if the police officer create a false impression using deception, tricks and misrepresentation of material facts, so that a Defendant may an agreement contrary to his or her interest. A Defendant's waiver of rights must have been done voluntarily, knowingly and intelligently. See, United State v. Buckner, 590 F2d 534 (4<sup>th</sup> cir 1978) which states; "The government bears the burden of establishing by a preponderance of the evidence that police obtained valid consent to search."

Bruce Allen Buckner

The State Of South Carolina In The Court Of General Sessions

County Of York

Sixteenth Judicial Circuit

Bruce Allen Buckner

Warrant Nos.; 2020A4620300202;

v

2020A4620300203; 2020A4620300204

The State Of South Carolina

Bill Of Exception

The Defendant as pro se counsel objects to Judge McKinnons ruling on the following issues for permanent record for the Appellate Court to consider.

The Defendant objects to Judge McKinnons total disregard for the Fourth Amendment warrant requirement, because the police had time to obtain a search warrant before coming to the Defendant's privately rented room. The United States Constitution, Fourth Amendment (2017 Edition) and the South Carolina Constitution; Art. I, sec. 10, both state; that;

"Unreasonable invasions of privacy shall not be violated. And no warrant shall be issued without first showing probable cause for a warrant, on a sworn, signed affidavit describing the person, place and things to be searched and seized." Also see: State v Counts, 413 SC 153, 776 SE 2d 59 (SC 2015), and State v Bash, 419 SC 263, 797 SE 2d 721 (SC 2017), which state; "law enforcement must have a warrant before entering a home for the purpose of conducting a search." And under Johnson v. United States, 333 US 10, "The police must show justification for not seeking a warrant before knocking on the door."

Bruce Allen Buckner

The State Of South Carolina In The Court Of General Sessions  
County Of York Sixteenth Judicial Circuit

Bruce Allen Buckner

Warrant Nos.; 2020A4620300202;  
2020A4620300203; 2020A4620300204

The State Of South Carolina

Bill Of Exception

The Defendant as pro se counsel objects to Judge McKinnons ruling on the following issues for the permanent record for the Appellate Court to consider.

The Defendant objects to Judge McKinnons ruling which allowed the police officers to circumvent the warrant requirement in this case using fraud. The police officers knocked on the Defendants door without any kind of warrant, claiming they were searching for Jackie Petty "who had been in jail for more than 24 hours." The police then entered the Defendants privately rented room before gaining consent to enter, violating the Defendants Fourth Amendment right to privacy. The police then violated the Defendants limited scope of consent to enter by searching the Defendants privately rented room, looking into the Defendants things to obtain the probable cause, the police used to obtain a search warrant.

See United States v. Johnson, 110 F.3d 705, which states:

"Police who do not have reasonable suspicion or probable cause use the technique to circumvent the warrant requirement because they could not have obtained a warrant based on the information they then had." This illegal entry

also violated South Carolina Code Of Law 16-11-311 (3)

"Entering in the night without consent by using deception, artifice, tricks or misrepresentation to gain entry." Also

see: Bowyer Law Dictionary, under circumvent (S.)  
Fraud. "Fraud includes any act intended to deceive another person or to encourage the other person to do anything that the actor believes will be to the other's harm but to the benefit of the actor or a third party. Fraud encompasses a range of conduct that conceals the true facts of a situation or create a false impression upon which the actor seeks a victim to rely on to the victim's harm. One form of fraud is the knowing misrepresentation of facts and the intentional concealment of material facts in order to create a false impression, either done with the intent to induce another person to rely on false facts. Any trick or artifice employed by one person to induce another to fall into an error, or to detain him in it, so that he may make an agreement contrary to his interest." "What would the typical reasonable person have understood by the exchange between the suspect and officers." State v. Mattison 352 SC 577, 585-86, 575 SE 2d 852. The Defendant also never consent to the search and refused to sign a consent to search form. See United States v. Buckner, 590 F2d 539 (4th cir. 1978), which states: "The government bears the burden of establishing by a preponderance of the evidence that police obtained valid consent to search."

Bruce Allen Buckner

The State Of South Carolina  
County Of York  
Bruce Allen Buckner

In The Court Of General Sessions  
Sixteenth Judicial Circuit

Warrant No. 2020A9620300202;  
2020A4620300203; 2020A4620300204

The State Of South Carolina

Bill Of Exception

The Defendant as pro se counsel objects to Judge McKinnons ruling of the following issues for the permanent record, for the Appellate Court

The Defendant objects to Judge McKinnons total disregard for the Fruit Of The Poisonous Tree Doctrine. Because the police either unlawfully entered or exceeded the scope of consent to enter given by the Defendant, for the purpose of obtaining the probable cause for a search warrant in a warrantless search violating the South Carolina Constitution, Art. I sec. 11, or State V. Forrester, 344 SC 567, 574 SE 2d 332 (SC App 1997), in which "our State Constitution allow a suspect to freely limit the scope of consent." In State V. Bruce, 412 SC 504, 772 SE 2d 753 (SC 2015) it states; "The police violated Bruce's Fourth Amendment right by exceeding the scope of his consent, and the evidence should have been suppressed pursuant to exclusionary rule as fruit of the poisonous tree." In State V. Greene, 499 SE 2d 817, 330 SC 551 (SC App 1997), it states; "The Fruit Of The Poisonous Tree Doctrine holds that whose evidence would not have come to light but for the illegal actions of the police and the evidence has been obtained without a warrant must be suppressed." Also in State V. Moore, 805 SE 2d 585, 421 SC 167, it states; "The Supreme Court created a bright line rule (get a warrant). Saying police officers should tread lightly and consider the implication of failing to obtain a warrant before searching."

Bruce Allen Buckner

The State Of South Carolina

County Of York

Bruce Allen Buckner

V.

The State Of South Carolina

In The Court Of General Sessions

Sixteenth Judicial Circuit

Warrant Nos; 2020AY610300 202;

2020AY620300201; 2020AY620300 204

Bill Of Exception

The Defendant as pro se counsel objects to Judge McKinnans ruling on the following issues for the permanent record for the Appellate Court to consider.

The Defendant as pro se objects to Judge McKinnans total disregard for South Carolina Code of Law 16-11-311(3) "entering in the night by using deception, artifice, tricks or misrepresentation to gain consent to enter." Under State v. Mattison, 352 SC 577, 585-86, 575 SE 2d 552, "What would the typical reasonable person have understood by the exchange between the suspect and officers." The police knocked on the Defendant's door saying they were searching for Jackie Petty who had been in jail more than 24 hours. The officer stepped inside the room, while asking if he could stand right there and check I.D's. Which the Defendant consented to, but the police exceeded the limit and scope of the Defendant's consent by entering and searching the room to obtain the probable cause the police used to obtain a search warrant. The Defendant never consented to the search and refused to sign a consent to search form. Under United States v. Buckner, 590 F 2d 539 (4th Cir 1978) "The government bears the burden of establishing by a preponderance of the evidence that police obtained valid consent to search."

Bruce Allen Buckner

The State of South Carolina In The Court Of General Sessions  
 County Of York Sixteenth Judicial Circuit

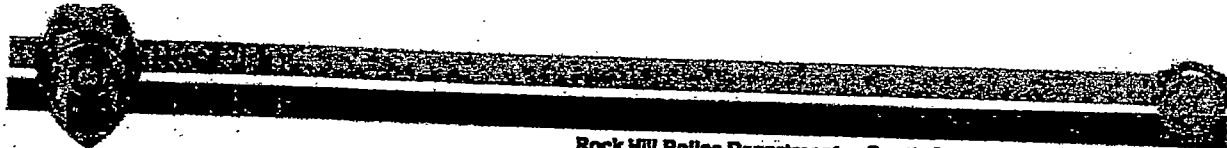
Bruce Allen Buckner Warrant Nos. 2020A4620300203;  
 V. 2020A4620300203; 2020A4620300204

The State Of South Carolina Bill Of Exception

The Defendant as pro se counsel objects to Judge McMillions ruling on the following issues for the permanent record for the Appellate Court to consider.

The Defendant objects to the three original unsigned arrest warrant not being suppressed. Under South Carolina Code Annotated 17-13-140 which states; "Without a Magistrate or Municipal Judicial Officer's signature a warrant is not issued within the means of South Carolina Law." Also see; 77-370 S.C. Op. Atty. Gen. 285 (1972) "stating a warrant is properly issued only when signed by the Magistrate and only upon a sworn affidavit." Under State v. Covert, 628 SE2d 482, 368 SC 153 (SC App. 2006) and State v. Covert, 675 SE2d 790, 382 SC 205 (SC 2009), the South Carolina Court Of Appeals and the South Carolina Supreme Court have both ruled "the Good Faith Exception does not apply to the statutory warrant requirement because the unsigned warrant are defective." The arrest warrants and search warrant in this case are also fruit of the poisonous tree stemming from a warrantless entry search which violated the Defendant's privacy under the South Carolina Constitution Art. I, sec. 10 which states; "unreasonable intrusions of privacy shall not be violated."

Bruce Allen Buckner



Rock Hill Police Department • South Carolina • www.rockhillpd.com

Primary Narrative

Printed on January 29, 2020

**Primary Report By Andrew Hems, 01/17/20 00:49**

2001160528

Case #P2001160528

Typed By Andrew Hems

On Thursday January 16, 2020, Officers Hems, Sanders, Gander, Kunde arrived at room 276 of the Ramada Inn, which is located within the city limits of Rock Hill, SC and the county of York at 2640 Cherry Road. Officers arrived on scene in reference to a possible wanted person on scene and possible drug sales at the room. Officers made contact with the room occupants who identified themselves as Bruce Buckner and Jennifer Young. While speaking with Buckner and Young, Officers observed tinfoil cut into squares which is consistent with drug sales as well as a digital scale with residue on it in plain view.

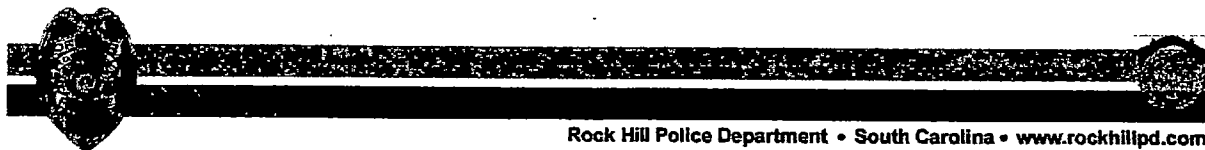
Officer Gander advised Sergeant Carsto of their findings and a search warrant was obtained with the assistance of the York County Drug Enforcement Unit. Once the warrant was signed, Officers searched the room and located several illegal items. Officers located a Ruger 22 Pistol (Serial #11-77372) in a laundry basket containing Bruce Buckner's clothing, legal paperwork and social security information. Officers advised dispatch of their findings and learned that Buckner was prohibited from owning or possessing a firearm due to a Criminal Sexual Conduct 1st conviction from 8/28/1979. Officers seized the firearm. Officers continued to search the room and were able to locate a digital scale, several small baggies, approximately .86 grams of Methamphetamine and approximately 2.27 grams of Heroin throughout the room. Officers photographed all the illegal items and seized all the illegal items. The Rock Hill City Dispatch advised officers that Young was wanted with York County Sheriff's Office for a bench warrant.

Officers advised Buckner and Young that they were under arrest for the narcotics located in the room and advised Young of her outstanding warrant with York County Sheriff's office. Officers Hems and Sanders transported Buckner to the Rock Hill City Law center and Officers Kunde and Gander transported Young to the Rock Hill City Law center. Both Young and Buckner were placed into the Rock Hill City Jail. Once in the jail, officers were able to place all seized items into the Rock Hill City Evidence room.

Officers produced five arrest warrants for Young and Buckner. Jennifer Young was charged with PWID Methamphetamine 2nd Offense (2020A46620300206) and PWID Heroin 2nd and Sub (2020A46620300205) after learning that she had a prior conviction for Distribution of Prescription drugs from 3/12/2018. Officers charged Buckner with PWID Methamphetamine 2nd Offense (2020A46620300202), PWID Heroin 2nd and Sub (2020A46620300203), Unlawful Possession of Firearm by Person Convicted of Violent Felony (2020A46620300204).

The Rock Hill City Dispatch entered the located firearm into NCIC as located.

This case is cleared by arrest.



Rock Hill Police Department • South Carolina • www.rockhillpd.com

**BUCKNER, BRUCE ALLEN (#IM202000191)**



<b>Jacket #</b>		<b>Deceased</b>	No	<b>Marital Status</b>	
<b>Sex</b>	Male	<b>Complexion</b>	Light	<b>Citizenship</b>	UNITED STATES
<b>DOB</b>		<b>Race</b>	White	<b>Country of Birth</b>	UNITED STATES
<b>Age</b>	58	<b>Ethnicity</b>	Not Hispanic/Latino	<b>State of Birth</b>	GA
<b>Height</b>	5' 9"	<b>Last Grade</b>		<b>Place of Birth</b>	GA
<b>Weight</b>	175 lbs	<b>Religion</b>			
<b>Build</b>	Large				
<b>Eye Color</b>	Blue				
<b>Hair Color</b>	Gray or Partially Gray				

**Distinctive Markings**

**Tattoos**

Arm (Right Upper) - Macaw  
Arm (Left Upper) - Eagle

**Current Address** 464 CUMMINGS ST, ROCK HILL, SC 29730

**Emergency Contact** Child named Dovefield, Diana **Home** (803) 526-3692

**Employer** **Cell** (803) 504-6217

**Organization Affiliations**

**Occupation**

<b>OLN</b>	SC 3156558	<b>OLN</b>	SC 0003156558	<b>SSN</b>	246-23-2084
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**Inmate Comments**

registered sex offender with YCSO

**Inmate Fingerprinted By**

McGee, Helen

<b>Initial Cell</b>	M-Cell 3	<b>Current Cell</b>	M-Cell 3
<b>Booked By</b>	McGee, Helen	<b>Held For</b>	Rock Hill Police Department
<b>Booking Date</b>	01/17/20 01:09	<b>Arresting Agency</b>	RHPD
<b>Arrest Location</b>	Cherry Rd	<b>Arresting Officer</b>	Hems, Andrew
<b>Court</b>	Default Court	<b>Court Case #</b>	
<b>Billed To</b>	Rock Hill Police Department	<b>Primary Hold Reason</b>	New Charge
<b>Treat As</b>	Adult	<b>Holding Type</b>	New Charge
<b>Gets Work Release</b>	No	<b>Required Cell Checks</b>	Standard

**Hold Reasons**

**Warrant**

Arrest warrant 2020A4620300202 issued by York County General Session Court, SC  
44-53-370(D)(4) - PWID HEROIN - 2ND & SUB OFFENSE

OCA # 2001160528

Arrest Date 01/16/20 00:00

Court Default Court

Bond - Cash, \$25000.00, Set By N. Agurs

Arrest warrant 2020A4620300203 issued by York County General Session Court, SC  
44-53-375(B)(2) - PWID METHAMPHETAMINE - 2ND OFFENSE

OCA # 2001160528

( Arrest Date 01/16/20 00:00 )

Court Default Court

Bond - Cash, \$25000.00, Set By N. Agurs

Arrest warrant 2020A4620300204 issued by York County General Session Court, SC  
16-23-500(A) - POSSESSION OF FIREARM BY CONVICTED VIOLENT FELON

OCA # 2001160528

( Arrest Date 01/16/20 00:00 )

Court Default Court

Bond - Cash, \$25000.00, Set By N. Agurs

Bonds for Unresolved Hold Reasons

Remaining Amount

Cash

\$75000.00

Total \$75000.00

**Hold Comments**

**Release Date**

**Released By**

**Recipient**

**Release Reason**

**Release Comments**

I certify that the above information is correct.

Signed

\_\_\_\_\_  
BUCKNER, BRUCE ALLEN

Date

\_\_\_\_\_

error

0

STATE OF SOUTH CAROLINA

County of York

SEARCH WARRANT

Date 1-17-20

Officer Any Law Enforcement Officer

\_\_\_\_\_  
\_\_\_\_\_

STATE OF SOUTH CAROLINA

COUNTY OF York

SEARCH WARRANT

4255 Form Approved by  
S.C. Attorney General  
Section 17-13-160  
March 16, 1979

Page 17

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY  
OF Rock Hill, S.C.

it appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)  
TO BE SEARCHED

1. Ramada Inn 2640 Rm. 276 N. Cherry Rd., Rock Hill, S.C.

2. Bruce Allen Buckner W/M 1961

3. Jennifer Young W/F 1982

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

Heroin and Heroin paraphernalia, currency, other items relating to packaging, storing, shipping, receiving, distribution, manufacturing and possession of heroin and records to include written records, computers, computer software, cell phones, cell phone data to include text messages, emails, call logs, hard drives, any data capable of being stored, sent or received by these devices.

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to

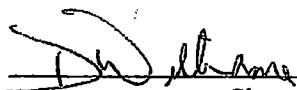
Issuing Authority

within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Rock Hill, S. C.

January 17, 2020



Signature of Judge

(L. S.)

SCCA/513  
(3-78)

Attachment "1"  
Search Warrant Affidavit

- (1) Ramada Inn 2640 Rm. 276 N. Cherry Rd., Rock Hill, S.C.
- (2) Bruce Allen Buckner W/M 1961
- (3) Jennifer Young W/F 1982

The affiant, who is a certified law enforcement officer for Rock Hill Police Department and has several years of police and narcotic experience states the following facts to support probable cause to search the persons and premises listed within:

The affiant received information from another law enforcement officer of persons in room 276 of the Ramada Inn on N.,Cherry Rd. in Rock Hill, S.C. involved in drug activity and information of a wanted person.

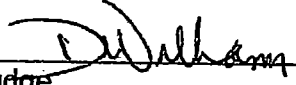
The affiant and other Rock Hill Police Department officers went to the motel and knocked on the door of Room 276. Bruce Allen Buckner answered the door and allowed the officers into the room. Buckner is the registered renter of the room. Jennifer Young was also in the room. The officers observed in plain view digital scales with white powder along with tin foil which is consistent with heroin. Officers are standing by while a search warrant is applied for.

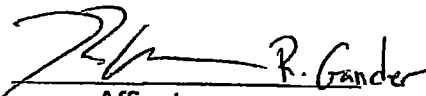
Buckner and Young are both known to law enforcement officers as both have recent narcotic convictions, and Buckner was in a vehicle with another subject when officers located heroin.

Furthermore, Young is wanted by the York County Sheriff's Office on a theft charge.

Based on the affiant's training and experience in narcotic investigations, it is believed that drug dealers keep contraband, proceeds of drug sales and records of drug transactions, photographs, video tapes, audio tapes, computer hard drives, disks and cell phones and cell phone data within the secure locations of their residence.

Sworn to and subscribed before me  
This 17 day of January 2020.

  
\_\_\_\_\_  
Judge

  
\_\_\_\_\_  
Affiant

STATE OF SOUTH CAROLINA

4255

COUNTY OF York

AFFIDAVIT

Page 19

Personally appeared before me, one Robin Gander who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Heroin, heroin paraphernalia, currency, other items relating to packaging, storing, shipping and receiving, distribution, manufacturing and possession of heroin and including written records, computers, computer software, cell phone data to include text messages, call logs, emails, hard drives, any data capable of being stored, sent, or received by these devices.

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

1. Ramada Inn 2640 Rm. 276 N., Cherry Rd., Rock Hill, S.C.

2. Bruce Allen Buckner W/M 1961

3. Jennifer Young W/F 1982

REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

See Attachment #1

Sworn to and Subscribed before me  
this 17 day of January, 2020  
[Signature] (L.S.)  
Signature of Judge

[Signature] R. Gander  
Affiant

Address 120 E. Black St  
Rock Hill, S.C.  
Phone 803-329-7276

RETURN

I received the attached Search Warrant January 17, 20 20, and have executed it as follows:  
On January 17, 20 20 at 12:10 o'clock A M, I searched  
(the person) described in the warrant and (the premises)

I left a copy of the warrant with Bruce Buckner  
Name of person searched or "at the place of search" with.  
Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

- Ruger .22 caliber Semi-Automatic Pistol SN: 1177372
- Heroin + Methamphetamine bags with residue
- approx 2.27 grams heroin
- approx 0.86 grams methamphetamine
- 2 black Android cell phones
- 1 digital scale

This inventory was made in the presence of R. Gander  
AND N. Kunde

I swear that this Inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 17  
day of Jan, 2020  
[Signature] (L. S.)  
Signature of Judge

[Signature] R. Gander  
(Signature of Officer Executing Warrant)

STATE OF SOUTH CAROLINA

COUNTY OF YORK

IN THE COURT OF GENERAL SESSIONS  
SIXTEENTH JUDICIAL CIRCUIT

2020-GS-46-00733

2020-GS-46-00734

2020-GS-46-00735

State of South Carolina,

State's Potential Witness List

vs.

Bruce Allen Buckner,

Defendant.

---

Andrew Hems, RHPD  
Robin Gander, RHPD  
Jerry Sanders, RHPD  
Nathanael Kunde, RHPD  
James Carsto, RHPD  
Daniel Popov, RHPD  
Rebecca Pryor, RHPD  
Paul Willey, RHPD  
Chris Rowe, RHPD  
Daniella Gatti, RHPD  
Ryan King, YCSO  
Dee Ann Johnson, YCSO  
Shelly Channell, Rock Hill Municipal Court  
Dolores Williams, Rock Hill Municipal Court  
Jennifer Nicole Young

Respectfully Submitted,



Daniel K. Porter  
Assistant Solicitor

York, South Carolina  
Dated: May 24, 2021

**COMMITMENT**

Public Defender

Page 22

- Original Commitment
- Additional Charge(s)

Date: 1/15/2020

TO: Director York County Detention Center

You are hereby commanded by this Court to hold in your custody,

Jackie Alton Petty Jr  
(Defendant's name)

DOB [REDACTED]

Race: W Sex: M

[REDACTED]

(Address)

Bonding Company:

2020 JAN 30 AM 8:32  
DAVID HAMILTON  
C.C.P.R. & G.S.  
YORK COUNTY, SC

Case number	Charge	Trial Court	Bond Type	Amount
2020A4610300016	Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)	York County General Sessions	Cash Bond Surety Bond	\$3,000.00 \$3,000.00

Court Dates: 3/2/2020 at 9:00 AM and 3/24/2020 at 8:30 AM at Moss Justice Center, 1675 York Highway, York SC. 29745, (803)-628-3036

That you are commanded by this Court to continue custody of the named person until the person in custody is ordered to be released by a Judicial Officer.

Judge [Signature] York County, SC

STATE OF SOUTH CAROLINA )

County of York )

State of South Carolina )

IN THE SUMMARY COURT

DISCHARGE

Page 23

vs.

Jackie Alton Petty Jr

DEFENDANT(S)

DISCHARGE

By Chisa Johnson Putman, Judge in and for the County and state aforesaid,

To the Sheriff and Keeper of the Common Jail in the said County:

The Defendant, Jackie Alton Petty Jr, having been committed to your custody for the charge of:

2020 JAN 30 AM 8:32  
DAVID HAMILTON  
C.C.P. & S.S.  
YORK COUNTY

Case number	Charge	Trial Court	Bond Type	Amount
020A4610360016	Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)	York County General Sessions	Cash Bond Surety Bond	\$3,000.00 \$3,000.00

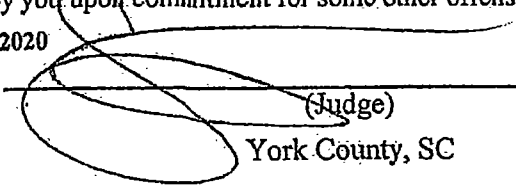
Court Dates: 3/2/2020 at 9:00 AM and 3/24/2020 at 8:30 AM at Moss Justice Center, 1675 York Highway, York SC. 29745, (803)-628-3036.

has posted bond of type:

Surety Bond in the amount of \$3,000.00 by A-1 Adams Bail Agency / Palmetto Surety Corporation at 1718 York Highway, York, SC, 29745

and having given bond as required by the Court, you are hereby authorized and required to discharge the said Defendant from your custody. Provided that said Defendant is not held by you upon commitment for some other offense.

GIVEN UNDER MY HAND AND SEAL THIS DAY January 21, 2020

  
\_\_\_\_\_  
(Judge) (Seal)  
York County, SC

ARREST WARRANT  
2020A4620300202  
STATE OF SOUTH CAROLINA  
 County/  Municipality of  
ROCK HILL

THE STATE  
against

BUCKNER, BRUCE ALLEN  
Address: NPA  
Phone: 803-526-3692 SSN  
Sex: M Race: W Height: 509 Weight: 225  
DL State: SC DL#: \_\_\_\_\_  
DOB \_\_\_\_\_ Agency ORI #: 460300  
Prosecuting Agency: RHPD  
Prosecuting Officer: ANDREW HEMS  
Offense: PWID HEROIN-2ND & SUB OFFENSE -  
Offense Code: \_\_\_\_\_  
Code/Ordinance Sec. 44-53-370(D)(4)

This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of  
The Accused  
is to be arrested and brought before me to be  
dealt with according to law.

\_\_\_\_\_  
(L.S.)  
Signature of Judge

Date: \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to  
defendant \_\_\_\_\_

on \_\_\_\_\_

\_\_\_\_\_  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

AFFIDAVIT

Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 618

Personally appeared before me the affiant \_\_\_\_\_ who  
being duly sworn deposes and says that defendant BUCKNER, BRUCE ALLEN  
did within this county and state on 01/17/2020 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of ROCK HILL )  
in the following particulars:

DESCRIPTION OF OFFENSE:  
PWID HEROIN-2ND & SUB OFFENSE - 44-53-370(D)(4)

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:  
The defendant, Bruce Buckner, did willfully and unlawfully violate SC Code of Laws Section 44-53-370(D)(4) PWID Heroin - 2nd  
and Sub. Offense, by having in his possession a total weight of 2.27 grams of black tar heroin in several different bags. The Heroin  
was located through the defendant's hotel room during a search warrant. The hotel room was room 276 at the Ramada Inn which is  
located at 2640 Cherry Road which is located within the city limits of Rock Hill, SC and the county of York. The defendant has a  
prior conviction of Possession Schedule I II on 07/22/2019.

\*\*Police Investigation\*\*  
\*\*Case 2001160528\*\*  
\*\*Evidence\*\*

\*\*The affiant is swearing to this based on information and belief provided by the arresting officer.\*\*

Signature of Affiant

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

Affiant's Address ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730  
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 01/17/2020 defendant BUCKNER, BRUCE ALLEN

did violate the criminal laws of the State of South Carolina (or ordinance of  
 County/  Municipality of ROCK HILL ) as set forth below:

DESCRIPTION OF OFFENSE:  
PWID HEROIN-2ND & SUB OFFENSE - 44-53-370(D)(4)

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 me )  
on \_\_\_\_\_ )  
(L.S.) )

Signature of Issuing Judge )  
Judge Code: \_\_\_\_\_ )

Judge's Address ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730  
Judge's Telephone 803-329-6695  
Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

Handwritten initials and date: Page 2/1/20

ARREST WARRANT  
2020A4620300203  
STATE OF SOUTH CAROLINA  
 County/  Municipality of  
ROCK HILL

THE STATE  
against

BUCKNER, BRUCE ALLEN  
Address: NPA  
Phone: 803-526-3692 SSN: \_\_\_\_\_  
Sex: M Race: W Height: 509 Weight: 225  
DL State: SC DL#: \_\_\_\_\_  
DOE Agency ORI #: 460300  
Prosecuting Agency: RHPD  
Prosecuting Officer: ANDREW HEMS  
Offense: PWID METHAMPHETAMINE-2ND  
Offense Code: \_\_\_\_\_  
Code/Ordinance Sec. 44-53-375(B)(2)

This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of

The Accused  
is to be arrested and brought before me to be  
dealt with according to law.

\_\_\_\_\_  
(L.S.)  
Signature of Judge

Date: \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to  
defendant \_\_\_\_\_

on \_\_\_\_\_

\_\_\_\_\_  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

AFFIDAVIT

Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 618

Personally appeared before me the affiant \_\_\_\_\_ who  
being duly sworn deposes and says that defendant BUCKNER, BRUCE ALLEN  
did within this county and state on 01/17/2020 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of ROCK HILL )  
in the following particulars:

DESCRIPTION OF OFFENSE:  
PWID METHAMPHETAMINE-2ND OFFENSE - 44-53-375(B)(2)

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:  
The defendant, Bruce Buckner, did willfully and unlawfully violate SC Code of Laws Section 44-53-375; Possession with Intent to  
Distribute Methamphetamine 2nd Offense. The Defendant had .86 grams of Methamphetamine inside his hotel room that was  
located on a search warrant of the room. Officers also located several baggies and a digital scale with residue on it. Due to the  
baggies and scale located, the defendant is believed to be selling the narcotics located. The hotel room was room 276 at the  
Ramada Inn which is located at 2640 Cherry Road which is located within the city limits of Rock Hill, SC and the county of York.  
The defendant has a prior conviction of Possession Schedule II on 07/22/2019.

\*\*Police Investigation\*\*  
\*\*Case 2001160528\*\*  
\*\*Evidence\*\*  
\*\*The affiant is swearing to this based on information and belief provided by the arresting officer.\*\*

Signature of Affiant

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

Affiant's Address ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730  
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 01/17/2020 defendant BUCKNER, BRUCE ALLEN  
did violate the criminal laws of the State of South Carolina (or ordinance of

County/  Municipality of ROCK HILL ) as set forth below:

DESCRIPTION OF OFFENSE:  
PWID METHAMPHETAMINE-2ND OFFENSE - 44-53-375(B)(2)

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 me )  
on \_\_\_\_\_ )

Judge's Address ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730

\_\_\_\_\_  
(L.S.)  
Signature of Issuing Judge

Judge's Telephone 803-329-5695

Judge Code: \_\_\_\_\_

Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

ARREST WARRANT  
2020A4620300204  
STATE OF SOUTH CAROLINA  
 County/  Municipality of  
ROCK HILL

THE STATE  
against

BUCKNER, BRUCE ALLEN  
Address: NPA  
Phone: 803-526-3692 SSN:  
Sex: M Race: W Height: 509 Weight: 225  
DL State: SC DL#:   
DOB: Agency ORI #: 460300  
Prosecuting Agency: RHPD  
Prosecuting Officer: ANDREW HEMS  
Offense: UNLAWFUL POSSESSION OF  
Offense Code:   
Code/Ordinance Sec. 16-23-500

This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of  
The Accused  
is to be arrested and brought before me to be  
dealt with according to law.

\_\_\_\_\_  
Signature of Judge (L.S.)  
Date: \_\_\_\_\_

RETURN  
A copy of this arrest warrant was delivered to  
defendant \_\_\_\_\_  
on \_\_\_\_\_  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:  
ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

AFFIDAVIT

Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 618

Personally appeared before me the affiant \_\_\_\_\_ who  
being duly sworn deposes and says that defendant BUCKNER, BRUCE ALLEN  
did within this county and state on 01/17/2020 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of ROCK HILL )  
in the following particulars:

DESCRIPTION OF OFFENSE:  
UNLAWFUL POSSESSION OF FIREARM (VIOLENTCONVICTION) - 16-23-500

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:  
The defendant did willfully and unlawfully violate SC Code of Laws, Section 16-23-500, Unlawful Possession of Firearm (Violent  
Offense), in that he had a loaded Ruger 22 Pistol (Serial # 11-77372). The defendant was previously convicted of Criminal Sexual  
Conduct 1st Degree (A Violent Offense) on 8/28/1979. The defendant was one of the occupants of the hotel room that was  
searched on a search warrant. The firearm was located in the defendants laundry basket with only his clothing in it and his legal  
paperwork in it. The hotel room was room 276 at the Ramada Inn which is located at 2840 Cherry Road which is located within the  
city limits of Rock Hill, SC and the county of York.

\*\*Police Investigation\*\*  
\*\*Case 2001160528\*\*  
\*\*Evidence\*\*  
\*\*The affiant is swearing to this based on information and belief provided by the arresting officer.\*\*

Signature of Affiant

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

Affiant's Address ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730  
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 01/17/2020 defendant BUCKNER, BRUCE ALLEN  
did violate the criminal laws of the State of South Carolina (or ordinance of  
 County/  Municipality of ROCK HILL ) as set forth below:

DESCRIPTION OF OFFENSE:  
UNLAWFUL POSSESSION OF FIREARM (VIOLENTCONVICTION) - 16-23-500

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 me )  
on \_\_\_\_\_ ) Judge's Address ROCK HILL MUNICIPAL COURT  
\_\_\_\_\_  
(L.S.) ) ROCK HILL SC 29730  
Signature of Issuing Judge ) Judge's Telephone 803-329-5695  
Judge Code: \_\_\_\_\_ ) Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

ARF WARRANT  
2020A4620300202

STATE OF SOUTH CAROLINA  
 County/  Municipality of  
ROCK HILL

FILED-RECEIVED  
2020 JAN 24 AM 9:47

THE STATE  
against DAVID MARLTON  
C.C.P.R & GS  
YORK COUNTY, SC

BUCKNER, BRUCE ALLEN  
Address: NPA

Phone: 803-526-3692 SSN: \_\_\_\_\_  
Sex: M Race: W Height: 509 Weight: 225  
DL State: SC DL#: \_\_\_\_\_

DOB \_\_\_\_\_ Agency ORI #: 460300  
Prosecuting Agency: RHPD  
Prosecuting Officer: ANDREW HEMS  
Offense: PWID HEROIN-2ND & SUB OFFENSE -  
Offense Code: \_\_\_\_\_  
Code/Ordinance Sec. 44-53-370(D)(4)

This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of \_\_\_\_\_  
The Accused  
is to be arrested and brought before me to be  
dealt with according to law.

\_\_\_\_\_  
Signature of Judge (L.S.)

Date: \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to  
defendant Bruce A. Buckner  
on 1-17-20  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

AFFIDAVIT

Personally appeared before me the affiant Sam Buchanan who  
being duly sworn deposes and says that defendant BUCKNER, BRUCE ALLEN  
did within this county and state on 01/17/2020 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of ROCK HILL)  
in the following particulars:

DESCRIPTION OF OFFENSE:  
PWID HEROIN-2ND & SUB OFFENSE - 44-53-370(D)(4) 0106

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:  
The defendant, Bruce Buckner, did willfully and unlawfully violate SC Code of Laws Section 44-53-370(D)(4) PWID Heroin - 2nd  
and Sub. Offense, by having in his possession a total weight of 2.27 grams of black tar heroin in several different bags. The Heroin  
was located through the defendant's hotel room during a search warrant. The hotel room was room 276 at the Ramada Inn which is  
located at 2640 Cherry Road which is located within the city limits of Rock Hill, SC and the county of York. The defendant has a  
prior conviction of Possession Schedule II on 07/22/2019.

\*\*Police Investigation\*\*  
\*\*Case 2001160528\*\*  
\*\*Evidence\*\*

\*\*The affiant is swearing to this based on information and belief provided by the arresting officer.\*\*

Signature of Affiant Sam Buchanan

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

Affiant's Address: ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730  
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 01/17/2020 defendant BUCKNER, BRUCE ALLEN  
did violate the criminal laws of the State of South Carolina (or ordinance of  
 County/  Municipality of ROCK HILL) as set forth below:

DESCRIPTION OF OFFENSE:  
PWID HEROIN-2ND & SUB OFFENSE - 44-53-370(D)(4)

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  
the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me )  
on 1-17-2020 )  
[Signature] (L.S.) )  
Signature of Issuing Judge )  
Judge Code: 8341 )

Judge's Address ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730  
Judge's Telephone 803-329-5695  
Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

AR WARRANT  
2020A4620300203  
STATE OF SOUTH CAROLINA  
 County/  Municipality of  
ROCK HILL

FILED-RECEIVED  
2020 JAN 24 AM 9:47

THE STATE  
against

DAVID HAMILTON  
C.O.C.P. & GS  
YORK COUNTY, SC

BUCKNER, BRUCE ALLEN  
Address: NPA  
Phone: 803-526-3692 SSN:  
Sex: M Race: W Height: 509 Weight: 225  
DL State: SC DL#:   
DOB Agency ORI #: 460300  
Prosecuting Agency: RHPD  
Prosecuting Officer: ANDREW HEMS  
Offense: PWID METHAMPHETAMINE-2ND  
Offense Code:  
Code/Ordinance Sec. 44-53-375(B)(2)

This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of  
The Accused  
is to be arrested and brought before me to be  
dealt with according to law.

Signature of Judge (L.S.)  
Date:

RETURN

A copy of this arrest warrant was delivered to  
defendant Bruce A. Buckner  
on 1-17-20  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

AFFIDAVIT

Approved by  
Judge General  
1, 2003  
SCCA 618

Personally appeared before me the affiant Sam Buchanan who  
being duly sworn deposes and says that defendant BUCKNER, BRUCE ALLEN  
did within this county and state on 01/17/2020 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of ROCK HILL)  
in the following particulars:

DESCRIPTION OF OFFENSE:

PWID METHAMPHETAMINE-2ND OFFENSE - 44-53-375(B)(2) 3199

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:  
The defendant, Bruce Buckner, did willfully and unlawfully violate SC Code of Laws Section 44-53-375; Possession with Intent to  
Distribute Methamphetamine 2nd Offense. The Defendant had .86 grams of Methamphetamine inside his hotel room that was  
located on a search warrant of the room. Officers also located several baggies and a digital scale with residue on it. Due to the  
baggies and scale located, the defendant is believed to be selling the narcotics located. The hotel room was room 276 at the  
Ramada Inn which is located at 2640 Cherry Road which is located within the city limits of Rock Hill, SC and the county of York.  
The defendant has a prior conviction of Possession Schedule II on 07/22/2019.

\*\*Police Investigation\*\*  
\*\*Case 2001160528\*\*  
\*\*Evidence\*\*  
\*\*The affiant is swearing to this based on information and belief provided by the arresting officer.\*\*

Signature of Affiant Sam Buchanan

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
ROCK HILL )

Affiant's Address ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730  
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 01/17/2020 defendant BUCKNER, BRUCE ALLEN  
did violate the criminal laws of the State of South Carolina (or ordinance of  
 County/  Municipality of ROCK HILL) as set forth below:

DESCRIPTION OF OFFENSE:

PWID METHAMPHETAMINE-2ND OFFENSE - 44-53-375(B)(2)

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  
the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me  
on 1-17-2020  
Signature of Issuing Judge (L.S.)  
Judge Code: 8341

Judge's Address ROCK HILL MUNICIPAL COURT  
ROCK HILL SC 29730  
Judge's Telephone 803-329-5695  
Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

ARREST WARRANT

2020A4620300204

STATE OF SOUTH CAROLINA

County/ Municipality of ROCK HILL

FILED-RECEIVED 2020 JAN 24 AM 9:47

THE STATE against

DAVID HAMILTON C.C.P. & G.S YORK COUNTY, SC

BUCKNER, BRUCE ALLEN

Address: NPA

Phone: 803-526-3692 SSN:

Sex: M Race: W Height: 509 Weight: 225

DL State: SC DL#:

DOB Agency ORI #: 460300

Prosecuting Agency: RHPD

Prosecuting Officer: ANDREW HEMS

Offense: UNLAWFUL POSSESSION OF

Offense Code:

Code/Ordinance Sec. 16-23-500

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The Accused is to be arrested and brought before me to be dealt with according to law.

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Bruce A. Buckner

on 1-17-20

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

ROCK HILL MUNICIPAL COURT ROCK HILL SC 29730

STATE OF SOUTH CAROLINA

County/ Municipality of ROCK HILL

AFFIDAVIT

Filed by S.C. Clerk of Court April 21, 2003 SCCA618

Personally appeared before me the affiant Sam Buchanan who being duly sworn deposes and says that defendant BUCKNER, BRUCE ALLEN did within this county and state on 01/17/2020 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of ROCK HILL) in the following particulars:

DESCRIPTION OF OFFENSE:

UNLAWFUL POSSESSION OF FIREARM (VIOLENTCONVICTION) - 16-23-500

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: The defendant did willfully and unlawfully violate SC Code of Laws, Section 16-23-500, Unlawful Possession of Firearm (Violent Offense), in that he had a loaded Ruger 22 Pistol (Serial # 11-77372). The defendant was previously convicted of Criminal Sexual Conduct 1st Degree (A Violent Offense) on 8/28/1979. The defendant was one of the occupants of the hotel room that was searched on a search warrant. The firearm was located in the defendants laundry basket with only his clothing in it and his legal paperwork in it. The hotel room was room 276 at the Ramada Inn which is located at 2640 Cherry Road which is located within the city limits of Rock Hill, SC and the county of York.

\*\*Police Investigation\*\*

\*\*Case 2001160528\*\*

\*\*Evidence\*\*

\*\*The affiant is swearing to this based on information and belief provided by the arresting officer.\*\*

Signature of Affiant

Affiant's Address ROCK HILL MUNICIPAL COURT ROCK HILL SC 29730

Affiant's Telephone - -

STATE OF SOUTH CAROLINA

County/ Municipality of

ROCK HILL

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 01/17/2020 defendant BUCKNER, BRUCE ALLEN

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of ROCK HILL) as set forth below:

DESCRIPTION OF OFFENSE:

UNLAWFUL POSSESSION OF FIREARM (VIOLENTCONVICTION) - 16-23-500

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 me

on 1-17-2020

Signature of Issuing Judge

Judge Code: 8341

Judge's Address ROCK HILL MUNICIPAL COURT ROCK HILL SC 29730

Judge's Telephone 803-329-5695

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

Page 2/7

In The State Of South Carolina / In The Court Of General Sessions  
 County Of York / Sixteenth Judicial Circuit  
 Bruce Allen Buckner / Warrant Nos.; 2020A4620300202;  
 Defendant / 2020A4620300203; 2020A4620300204  
 v. / Motion To Reconsider  
 The State Of South Carolina / Change Of Venue

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The enclosed letter from the Clerk of Court's Office dated 10/22/20 to the Defendant shows the Clerk of Court's Office denied 4 subpoena duces tecums 5 days before the preliminary hearing requesting 4 police officers be at the preliminary hearing in compliance with *Clemmons v. Nicholson*, 198 SE 180, 188 SC 129 (SC 1938), so the Defendant could prove the probable cause was obtained from a unlawful entry on the 16<sup>th</sup> of January 2020 then used in an affidavit to obtain a search warrant on the 17<sup>th</sup> of January, 2020. The Clerk of Court's Office denied the Defendant's right to a fair preliminary hearing under the due process right of the Fourteenth Amendment which guarantees a fair criminal proceeding.

Therefore the Defendant request the Honorable Judge Mc Kinnon reconsider a Change Of Venue.

Respectfully,

12/29/20

Bruce Allen Buckner  
 Bruce Allen Buckner

**CLERK OF COURT'S OFFICE**

Post Office Box 649; York, South Carolina 29745

October 22, 2020

Bruce Buckner #36995A  
YCDC

Your letter, regarding subpoenas has been filed. You have been scheduled to have a preliminary hearing next week. Once that hearing is over and a trial date is set, then the subpoena matter can be readdressed.

Your letters, regarding a preliminary hearing and sequestration at the preliminary hearing, has been filed and a copy forwarded Mr. Porter.

General Sessions Division

The State Of South Carolina

In The Court Of General Sessions

County Of York

Sixteenth Judicial Circuit

Bruce Allen Buckner

Warrant Nos.; 2020A4620300202;

V

2020A4620300203; 2020A4620300204

The State Of South Carolina

Motion For A Directed Verdict

The Defendant as pro se counsel asked for a Directed Verdict in this case. The search warrant and the arrest warrants are inadmissible "Fruit Of The Poisonous Tree."

The police violated the Defendant's Fourth Amendment right to privacy, by stepping into the Defendant's privately rented room, without a warrant" and "exceeded the limited scope of consent" to stand at the door, by searching the room, to gain the probable cause, used to obtain the search warrant.

Newberry County Magistrate English, 625 SE2d 919; 367 SC 297 (SC 2006) "A criminal case requires some admissible evidence of the commission of a crime to proceed."

Therefore, the Defendant request a verdict of acquittal in favor of the Defendant because the State has no admissible evidence in this case.

Bruce Allen Buckner

### Certificate Of Service

I hereby certify I have filed this in Court to the Honorable Judge McKinnon and to Dan Porter of the Solicitor's Office on this day 5/26/21.

Bruce Allen Buckner

## Case laws Cited In Argument

Clemmon V. Nicholson, 198 SE 180, 188 SC 129 (SC 1939)

Franks V. Delaware, 438 US 154, 98 S.Ct 2674, (1978)

State V. Johnson, 410 SC (0770)

Bouvier Law Dictionary (Circumvent) under number 5. Fraud

United States Constitution Amendment IV (2019 Edition)

South Carolina Constitution Art. 1 sec 10 (2017 Edition)

State V. Singley, 679 SE2d 538, 383 SC 441 (SC App 2009)

State V. Robinson, 410 SC 519, 765 SE2d 564 (SC 2014)

State V. Abdullah, 357 SC 344, 351, 592 SE2d 344, 348

Payton V. New York, 445 US 573, 100 S.Ct 1371, 63 LE2d 639

State V. Mattison, 352 SC 577, 585, 86, 575 SE2d 852

United States V. Johnson 410 F.3d 137 (2005)

United States V. Calandra, 414 US 338, 38 LE2d 361, 94 S.Ct 613

Johnson V. United States, 333 US 10, 68 S.Ct 367, 92 LEd 436

US V. Robertson, 736 F.3d 677

State V. Buckner, 590 F.2d 539

Prentice Hall's Dictionary

State V. Easterling, 257 SC 239, 185 SE2d 366

Presser V US, 371 US 71

South Carolina Code Of Law 25-1-3055

South Carolina Code Of Law 7-25-150

Brady V Maryland 373 US 83

South Carolina Rules Of Criminal Procedure, Rule 5

Hankford V. Gelston, 364 F.2d 197

State V. Counts, 413 SC 153, 776 SE2d 59

Fruit Of The Poisonous Tree Doctrine

US V. Neely, 564 F.3d 346

United States V. Holme, 376 F3d 276

Kyllo V. United States, 533 US 27, 32, 121 Sct 2038, 150 LE2d 94

Wong Sun V United States, 371 US 471, 488, 83 Sct 407

U S V Mowatt, 513 F3d 395

State V Davis, 364 SC 384, 409, 613 SE 2d 760, 781

### Case Laws Cited In The Bills Of Exception

United States V. Buckner, 590 F2d 539

United States Constitution, Fourth Amendment 2017 Edition

South Carolina Constitution Art.1, sec 10

State V Counts, 413 SC 153, 776 SE 2d 39

State V Bash, 419 SC 263, 797 SE 2d 721

Johnson V. United States, 333 US 10

State V Johnson, 170 F3d 708

South Carolina Code Of Law 16-11-311 (3)

Bouvier Law Dictionary under circumvent (5)

State V. Mattison, 352 SC 577, 585, 86, 575 SE 2d 852

Fruit Of The Poisonous Tree Doctrine

State V. Forrester 344 SC 567, 514 SE 2d, 332

State V. Bruce, 412 SC 504, 772 SE 2d 753

State V Green, 499 SE 2d, 817, 330 SC 551

State V Moore, 805 SE 2d 585, 421 SC 167

South Carolina Code Annotated 17-13-140

77-370 SC Op. Att. Gen. (1977)

State V Covert, 628 SE 2d 482, 365 SC 188

State V Covert, 675 SE 2d 740, 382 SC 205

## Argument

In State v Johnson, 410 SC 10, it states; "In criminal case the appellate court sits to review error of law, The admission of evidence is with the discretion of the trial court and will not be reversed absent an abuse of discretion."

The Defendant as prose counsel filed several written Bills Of Exception to insure his issues be heard, and has filed documented evidence to support the fact. The Honorable Judge McKinnon and the York County Clerk Of Courts Office abused its discretion.

In State v. Abullah, 357 SC 344, 351, 592 SE 2d 344, it states; "In an appeal from a motion to suppress evidence base on Fourth Amendment grounds, an appellate court may conduct its own review of the record to determine whether the evidence supports the circuit courts decion."

1. The United States Constitution Amendment IV states; "No warrant will be issued without first showing probable cause." and the South Cacolina Constitution Act, 1 § 10 states under; "Searches and Seizures and Invasions of Privacy", "The right of the people to be secure in their person, home, papers and effects against unreasonable invasion of privacy shall not be violated and no warrant shall be issued but on probable cause." United States v. Calanda, 414 US 338, 38 LE 2d 561, 94 SC+ 613, "The Court made it clear that the purpose of the Fourth Amendment exclusionary rule was expressly to detour police misconduct,"

### Argument On The First Issue

The Defendant filed a Motion To Reconsider a Change Of Venue see page 30 of this brief. The Honorable Judge Mc Kinon erred denying a Change Of Venue after the York County Clerk Of Courts denied the Defendants Fourteenth Amendment due process right to a fundamental fair criminal proceeding by denying the Defendants right to subpoena (4) four States witnesses in a letter dated 10/22/20, 5 days before the Preliminary Hearing. A copy of that letter was filed with the Defendant's appeal and a copy of that letter is on page 31 of this brief.

The case laws the defendant is citing to back this issues is Clemmon V. Nicholson, 198 SE 180, 188 SC 129 (SC 1938) and Franks V Delaware, 438 US 154, 98 S.Ct. 2674, 57 L Ed 2 667 (1978). These case state; "The Defendant shall have the right to cross examine the State's witnesses in person and to be heard as to whether a probable cause has been made." and "The Supreme Court ruled that a Defendant may lawfully challenge the affidavit supporting a search warrant. If the Defendant can show false statements were knowingly and intentionally made to provide sufficient probable cause, the case may be dismissed."

This denial of right kept the defendant from being able to prove that the police did not have probable cause until the police made an illegal search of the Defendant's privately rented room.

This brings me to my second issue.

### Argument On The Second Issue

Judge Mc Kinnon made an error in law by disregarding the Fourth Amendment warrant requirement, because the police had time to obtain a search warrant before coming to the defendant's privately rented room, looking for a suspect named Jackie Petty. The police used deception, tricks and misrepresentation to gain entry, circumventing the warrant requirement. Bouvier Law Dictionary defines circumvent under number (5. Fraud). "Fraud includes any act intended to deceive another person or to encourage the other person to do anything that the actor believes will be to the other's harm, but to the benefit of the actor or a third party. Fraud encompasses a range of conduct that conceals the true facts of a situation or create a false impression upon which the actor seeks a victim to rely on to the victim's harm. One form of fraud is the knowing misrepresentation of facts and the intention concealment of material facts in order to create a false impression, either done with the intent to induce another person to rely on false facts. Any trick or artifice employed by one person to induce another to fall into an error or to detain him in it, so that he may make an agreement contrary to his interest."

Several thing in this brief prove that police illegally

circumvented the warrant requirement and violated the defendant's Fourth Amendment right to privacy.

First, The police officer's primary report on page 13 of this brief proves the police did not have probable cause for a search warrant before searching the defendant's privately rented room, for the probable cause used to obtain a search warrant. The United States Constitution and the South Carolina Constitution Art. 1 sec 10, state; "Invasions of privacy shall not be violated and no warrant shall be issued without first showing probable cause for a warrant." State v. Singley 679 SE 2d 538, 383 SC 441 (SC App. 2009), defined "illegal entry as "entering without consent or entering using deception, tricks and misrepresentation to gain entry." In State v. Robinson, 410 SC 519, 765 SE 2d 564 (SC 2014), The Supreme Court focused on a common law trespassing when finding that police officers who conducted a warrantless search of the defendant's property committed a Fourth Amendment violation solely because the officers unauthorized entry."

Second, in the same primary police report it proves that there were no exigent circumstances to allow the police to search the room to obtain the probable cause. In State v. Abdullah, 357 SC 344, 351, 592 SE 2d 344, 348 (SC App. 2004) it states; "The only exception to allow a warrantless entry is if the police have no time to obtain a warrant because of exigent circumstance."

Also under Johnson v. United States, 333 US 10, 68 S.Ct. 367, 92 L.Ed 436 (1948) states; "The police officers must show justification for not seeking a warrant prior to knocking on the door."

Third, The suspect the police were looking for was in jail and had been more than 24 hours before the police came to the defendant privately rented room. Jackie Petty's Booking report is on page 22 and 23, which proves the police did not have a search warrant or an arrest warrant for Jackie Petty. Under Payton V. New York, 445 US 573, 100 S.Ct 1371, 63 L.Ed 2d 639 (1980) The Supreme Court ruled that without exigent circumstances police may not enter a suspect's home to make a routine felony arrest with out an arrest warrant or a search warrant. "What would the typical reasonable person have understood by the exchange between the suspect and officers." State V. Mattison, 352 SC 577, 585, 86, 575 SE2d 852, The police knocked on the defendants door saying they were looking for Jackie Petty, The Officer stepped inside the room while asking if he could see both of the defendants. ID's. Which the defendant consented too, but the police exceeded the limited scope of the Defendants consent, by searching the room to obtain the probable cause. used to obtain a search warrant. The Defendant refused to sign a consent to search form and never gave

verble consent for the police to search the room to obtain the probable cause used to obtain the search warrant. In US v. Robertson, 736 F 3d 677 (4th cir 2013), it states; "The defendant never consented to police officer's search, rendering it presumptive unreasonable absent probable cause. Because we find that in submitting to the search, the defendant merely obeyed the police's orders, without giving valid consent." Also under United State v Buckner, 590 F2d 539 (4th cir 1978) the Court stated; "The government bears the burden of establishing by a preponderance of the evidence that police obtain valid consent to search."

The Honorable Judge Mc Kinon made an error in law on consent because a defendant can not knowing and intelligently waive his or her Fourth Amendment rights if police officers create a false impression and misrepresent the material facts, so that a defendant makes an agreement contrary to his or her interest. Prentice Hall's Dictionary defines a consent search as; "a warrantless search conducted by police after receiving permission from someone with the legal authority to waive the Fourth Amendment rights. The waive of rights must have been done voluntarily, knowingly, intelligently and without coercion." Also under State v Easterling, 257 SC 239, 185 SE 2d 366 "The plain view doctrine does not apply if the State can not prove legal entry."

### Argument On The Third Issue

The Honorable Judge McKinnon made an error in law and abused his discretion by allowing the Solicitor to present the redacted police officer's body cam footage. The defendant objected to the edited body cam footage, which cut out most of the illegal search for the illegally obtained probable cause, used to obtain the search warrant, but, it does preserve the fact the defendant never consent to the search.

The police officer's body cam do show the police officers searching the room with high power flashlights, looking into laundry baskets and nightstands to obtain probable cause. The Solicitor Office had already made the redacted cuts, cutting out the defendant saying he had a right to privacy and the defendant asking the police officers to get out of his room. The defendant said these things after realizing that the police did not have any kind of warrant or search warrant. The Honorable Judge McKinnon ruling allow key evidence for the defense be cut and edited from the record. Its an obstruction of justice under Presser v. US 371 US 71, which states; "Judgment affirming conviction on charge of obstructing justice through mutilation and concealment of records" A police officer's body cam footage is a record of evidence.

### Argument On The Fourth Issue

The Honorable Judge McKinnon made an error in law

and abused his discretion stating the arrest warrants were properly issued in several ways. First, the defendant never received copies of the arrest warrants until he received his discovery pack. Copies of these unsigned arrest warrants are on pages 24, 25 and 26 of this brief. On pages 14 and 15 of this brief are paper from the police officers report showing the defendant was arrested on the 16 of January 2020 and the arrest warrants were issued by York County General Session Court the day before the search warrant was issued see pages 16, 17, 18, 19 and 20 which showed the search warrant was not issued until the 17 of January 2020. The police officers primary report also shows the police entered and searched the room before a search warrant was issued. And the defendant was arrested on the 16 of January before a search warrant was issued.

The defendant did not receive the copies of the signed arrest warrants until the third day of his trial. And the affidavits on the arrest warrants were signed, at the bond hearing, by a Rock Hill City Bond Bailiff who had no knowledge of the content within the affidavits see brief pages 27, 28 and 29. This was a violation of South Carolina Code Of Law 25-1-3055 "Perjury" or South Carolina Code Of Law 7-25-150 "Swearing falsely or taking oath in another's name". The Solicitor

violated Brady V Maryland, 373 U.S. 83 (1963), which states; "The Solicitor Office must disclose all evidence favorable to the defendant," and rule 5 of the South Carolina Rules Of Criminal Procedure which states; "The Solicitor must produce true copies of all documents." The defendant raised these issues in written motions before the suppression hearing and trial. Copies of these motions are on pages 4, 5 and 30 of this brief to show these issues were raised before the lower Court and show the Honorable Judge McKinnon made errors in law and abused his discretion, by denying the defendant the right to raise these issue before the jury which denied the defendant a fundamentally fair trial in complinace with the due process rights of the Fourteenth Amendment.

The Honorable Judge McKinnon made an error in law and abused his discretion in rulings on these issues.

The written Bills Of Exception, the defendant filed, in Court were filed to insure these issues were saved for the Appellate Courts review. The Prentice Hall's Dictionary states; written Bills Of Exception are the proper way of filing objections for the permanent record for Appellate Court review. Copies of these Bills Of Exception are on pages 6 through 12 and the Judge abused his discretion by not allowing the defendant to raise these issues. What would the typical person understood from the exchange between the suspect and police." State V. Mattison 575 SE 2d 852.

## Argument On The Final Issue

On page 32 is a copy of a Motion For A Directed Verdict in which the Honorable Judge McKinnon made several errors in law and abused his discretion by denying the motion. Under Lankford v. Gelston, 364 F.2d. 197 (4th cir) is states;

"Before searching for a suspect the police must at least have probable cause to believe that the suspect is on the premises." And under United States v. Johnson, 410 F.3d 137 (2005) state; "Except in certain defined classes of cases,

a search of private property without proper consent is unreasonable unless it has been authorized by a valid search warrant." And State v. Counts, 413 SC 153, 776 SE2d 59 (SC 2015) states; "Law enforcement must have reasonable

suspicion of illegal activity at a targeted residence prior to approaching the residence and knocking on the door, we find this rule safeguards the expressed constitutional right against unreasonable invasions of privacy." The police

clearly violated the express right to privacy found in the South Carolina Constitution Art. I, sec 10. This fact makes the probable cause. Fruit Of The Poisonous Tree, which

makes the search warrant and arrest warrants Fruit Of The Poisonous Tree because none of evidence would have come to light but for the police officer illegal actions,

U.S. v. Neely 564 F.3d 346 (11th cir 2009) states; "Searches exceeding the scope of the suspect's consent and when

the search was not a protective search, we review the district court's legal conclusions de novo and its factual finding for clear error." United States v. Holmes, 376 F.3d 276 (4th cir 2004)

In Kyllo v. United States, 533 US 27, 32, 121 S.Ct 2038, 150 L.Ed.2d 94 (2001), "The Supreme Court announced the general rule that a search or a seizure without probable cause is unreasonable and unconstitutional." "The arrest warrants were the result of the illegal exploitation of a unwarranted search and must be suppressed."

under Wong Sun v. United States, 371 US 471, 488, 83 S.Ct 407, 9 L.Ed.2d (1963). Also under US v. Mowatt, 513 F.3d 395 (4th cir 2008) it states; "The primary evidence was obtained as a result of an illegal unwarranted search." "The violation found in this case cannot be seen as harmless error and must be suppressed." State v. Davis, 364 SC 384, 409, 613 SE2d 760, 781 (SC App 2005)

The amount of errors and abuse of discretion made within the Sixteenth Judicial Circuit, has denied the defendants due process right to a fundamentally fair procedure in York County. And proves the unlawful actions of 5 Rock Hill City Police in their official capacity. In Club v. Robinson, 143 SC 347, 141 SE 610, it state; "The United State does not protect its officers from personal liability to person whose rights of property they have wrongfully invaded."

## Conclusion

The defense request the Appellate Court overturn and vacate the sentence in this matter. The police officer's primary report proves the police circumvented the Fourth Amendment warrant requirement to obtain the probable cause which they then used to obtain a search warrant. This makes everything from the time the police entered the defendant's privately rented room, "Fruit Of The Poisonous Tree." The Honorable Judge McKinnon made an error in his ruling and abused his discretion by not allowing the defendant to raise this issues to the jury.

The York County Clerk Of Courts Office openly denied the defendant's Fourteenth Amendment due process right to a fundamentally fair criminal procedure in a letter dated 10/22/20. The Honorable Judge McKinnon made an error in law and abused his discretion by denying the Change Of Venue, because this was a harmful error, and denied the defendant's constitutional rights to a fair criminal procedure.

The Honorable Judge McKinnon made another harmful error and abused his discretion by ruling the arrest warrants were properly signed when the arrest warrant affidavits were signed by a Rock Hill City Bond Bailiff who committed perjury by taking an oath that the defendant was arrested on the 17<sup>th</sup> of January to cover up the fact the police arrest the defendant on the 16<sup>th</sup> of January 2020 after police illegally search the defendant's privately rented room, before police obtained a search warrant.

The Good Faith exception does not apply to perjury. The Honorable Judge McKinnon made another harmful error and abused his discretion by allowing the Solicitor to produce (3) three defective arrest warrants 3 days into a trial. This violated Brady v Maryland and rule 5 of the Rules Of Criminal Procedure, and the unsigned arrest warrants from the discovery pack proves the violations.

The Honorable Judge McKinnon made an error in law and abused his discretion, by allow the pre cut and edited body cam footage. These cuts were made before the defendant objected at the trial. These cuts destroyed records and evidence key to the defense and obstructed justice. Body cam footage is a record of evidence and the mutilation or the concealment of this record is obstructing justice.

The Honorable Judge McKinnon made several more errors in law and abuses his discretion in this case based on the fact the defendant filing a 1983 lawsuit against 5 Rock Hill City Police for violating the defendant's Fourth Amendment Rights to privacy and the warrant requirement. All of these abuses themselves, with the blatant errors of law prove this facts. The case number in U.S. District Court is 0-20-cv-03253-TLW-SVH. This brief will become a part of that record so please review the Bills Of Exception as well, this brief. Respectfully Submitted,

Bruce Allen Buckner

Bruce Allen Buckner

8/28/21

Certificate Of Service

I hereby certify I have mailed this letter and Brief to the South Carolina Court Of Appeals, Clerk Jenny Abbott Kitchings to file and forward to all parties on this day 8/28/21.

Bruce Allen Buckner