

RECEIVED

APR 21 2022

SC Court of Appeals

RULE 203 (B) (iv)
WRITTEN EXPLANATION OF
NO BASIS FOR APPEAL

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
)
STATE OF SOUTH CAROLINA)
)
-VS-)
)
DANNY MURPHY)
DEFENDANT)
)

PERSONALLY appeared before me Jonathan M. Hiller, who being duly sworn, deposes and says:

- I represented the above named defendant before Kristin Curtis on April 11, 2022. On that date, the defendant entered a guilty plea which resolved his pending charges.
- No issues of law or fact were raised before Judge Curtis at that time that could form the basis for an Appeal in this matter.
- The defendant requested this appeal be filed based on the language used by the plea judge informing him that he has the right to appeal his guilty plea within ten (10) days.

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
CERTIFIED COPY

FILED
HORRY COUNTY
2022 APR 18 P 3:08
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Sworn to and Subscribed before me
18th day of April, 2022
Wade Watson
Notary Public for South Carolina
My Commission expires: 10/23/25

[Signature]
Signature of Attorney for Defendant

Jonathan M. Hiller
Print name of Attorney for Defendant

Notary Public
Jonathan M. Hiller
My Commission Expires 10/23/25

ARREST WARRANT

2019A2620600226

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

THE STATE

19-000055

against

Danny Ray Murphy

Address:

Phone: SSN:

Sex: Race: Height: Weight:

DL State: DL #:

DOB: Agency ORI # SC0260600

Prosecuting Agency: Myrtle Beach Police Department

Prosecuting Officer: Justin E Amos - S00379

Offense: Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second

Offense Code: 0397

Code/Ordinance Sec: 16-03-0655(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 the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Danny Ray Murphy on 1-30-19

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Personally appeared before me the affiant Justin E Amos

being duly sworn deposes and says that defendant Danny Ray Murphy

did within this county and state on or about 8/5/2016

State of South Carolina (or ordinance of County/ Municipality of Myrtle Beach)

in the following particulars:

DESCRIPTION OF OFFENSES: Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second degree

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:

On the date of 1-1-19 MBPD officers opened an investigation into a 17-year-old female victim reporting that she had been repeatedly sexually assaulted by since she was 13 by vaginal penetration with his penis. The victim provided approximate dates and locations of some of the sexual assaults. Several of these occurred at within the city limits of Myrtle Beach between the dates of 2/8/16 and 8/5/16 while the victim was 15. The Defendant was in a position of familial authority to coerce the victim and was older than 18.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Affiant's Address

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 or about 8/5/2016 defendant Danny Ray Murphy

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Myrtle Beach) as set forth below:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second degree

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 1/16/2019

Signature of Issuing Judge

Christine Lamparter

Judge Code: 6869

Judge's Address

1101 Oak Street

Myrtle Beach, SC 29577-3599

Judge's Telephone

(843)918-1356

Issuing Court:

Magistrate

Municipal

Circuit

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

FILED

HORRY COUNTY

2019 FEB 19 AM 9:04

GENE M. FLIVIS CLERK OF COURT HORRY COUNTY, SC

RECEIVED

APR 21 2022

SC Court of Appeals

BAIL set by

Judge _____
on _____
Type and Amount: _____
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____

Decision: _____

DISPOSITION before

Judge _____ *Post Bond*
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

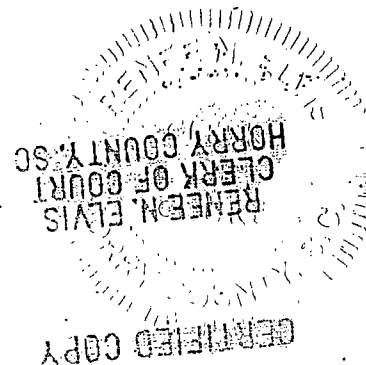
Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



JAN 16 2019 PM 3:06



STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry

STATE

INDICTMENT/CASE#: 2019GS2602099

VS.

Danny Ray Murphy

A/W#: 2019A2620600226

Date of Offense: 8/5/2016

S.C. Code §: 16-03-0655(B)

CDR Code #: 0397

AKA: _____
Race: _____ Sex: _____ Age: _____
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#: _____ SID#: _____

NEGOTIATED: 10 YEARS
SEX OFFENDER REGISTRY

RECEIVED
CLERK OF COURT
HORRY COUNTY
2022 APR 11 5:32
FILED
HORRY COUNTY

*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Criminal Sexual Conduct w/ Minor 2nd Degree < 16 (0-20 Yrs.)

in violation of § 16-03-0655(B) of the S.C. Code of Laws, bearing CDR Code # 0397

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

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Andrew C. Leigh 72898 SC Bar # Defendant

HULLER, JONATHAN SC Bar # Attorney for Defendant

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

for a determinate term of 10 days/months/years/Time Served Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. _____ days/months
 To include time spent on monitored house arrest prior to trial and sentencing.
 The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

RECEIVED

APR 21 2022

SC Court of Appeals

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____

Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment 0 _____ days/hours

Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Other: _____

FILED
 Horry County
 2022 APR 11 P 5:32
 RENE E. ELVIS
 CLERK OF COURT
 Horry County, SC

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:
 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ 25.00 Beginning 5/11/2022

§14-1-206 (Assessments 107.5 %)	\$100	\$100.00
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§14-1-211(A)(2) (DUI Surcharge)	\$12	\$
§56-5-2995 (DUI Assessment)	\$25	\$
§56-1-286 (DUI Breath Test)	\$25	\$25.00
§14-1-212 (Law Enforce. Funding)	\$150	\$
§14-1-213 (Drug Court Surcharge)	\$41	\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$50	\$
§50-21-114(BUI Breath Test Fee)	\$40/ea	\$
§56-5-2942(J) (Vehicle Assessment)	TBD	\$3.75
3% to County (if paid in installments)	\$500	\$
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	TBD	\$40.00
<input checked="" type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TOTAL	\$118.75

RECEIVED COPY
 RENE E. ELVIS
 CLERK OF COURT
 Horry County, SC

Clerk of Court/ Deputy Clerk: Renee Elvis
 Court Reporter: Kay Richardson

Presiding Judge: Krish Ank
 Judge Code: 2762
 Sentence Date: 4-11-22

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

STATE OF SOUTH CAROLINA

PLAINTIFF,

VS.

DANNY RAY MURPHY

DEFENDANT.

) IN THE COURT OF GENERAL SESSIONS
) Warrant: 2019A2620600226, 2021DI2600083
) Indictment: 2019GS2602099, 2021GS260117
) Case: 19H00944

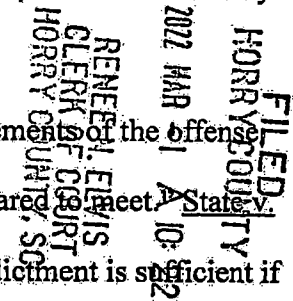
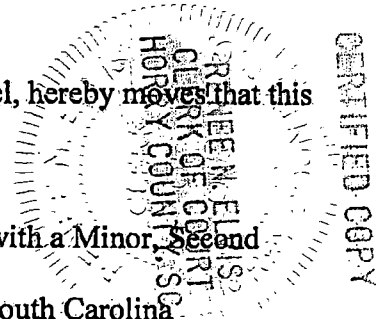
MOTION TO AMEND INDICTMENT

The State of South Carolina, by and through undersigned counsel, hereby moves that this Court amend indictment 2019-GS-26-02099.

Danny Ray Murphy was indicted for Criminal Sexual Conduct with a Minor, Second Degree and Criminal Sexual Conduct, Third Degree in Horry County, South Carolina (Indictments 2019-GS-26-02099 and 2021-GS-26-01117). Both of the indictments were True Billed. Indictment number 2021-GS-26-0117 contains a scrivener's error. A copy of the indictment is attached and incorporated herein by reference. It has come to the State's attention that the indictment contains a scrivener's error that needs to be corrected.

Specifically, the indictment contains an error in the date range reflected in the indictment. The indictment currently states, "on or about or between February 8, 2016 and September 30, 2016.." The indictment should read, "on or about or between February 8, 2015 and February 7, 2017."

"An indictment is sufficient if it apprises the defendant of the elements of the offense intended to be charged and apprises the defendant what he must be prepared to meet. State v. Wilkes, 353 S.C. 462, 465, 578 S.E.2d 717, 718 (2003). "Further, an indictment is sufficient if the offense is stated with sufficient certainty and particularity to enable the court to know what



ORIGINAL

RECEIVED

APR 21 2022

SC Court of Appeals

judgment to pronounce, and the defendant to know what he is called upon to answer and whether he may plead an acquittal or conviction thereon." Id.

Here, all of the other indictments relating to this case reflect that the sexual abuse occurred during the time period on or between the dates of February 8, 2015 and February 7, 2017, which are the dates the victim was between the ages of fourteen and sixteen years old. The victim alleges the sexual assaults were occurring regularly in South Carolina during the time period when the victim was fourteen until she was over the age of sixteen, but the crime of Criminal Sexual Conduct with a Minor, Second Degree is limited to the time period when the victim was between fourteen and sixteen years old. All of the arrest warrants, case reports, and witness statement reflect the abuse occurred over a period of time and was not isolated to a couple of dates. The State intends to produce evidence at trial that the abuse occurred on or between the dates of February 8, 2015 and February 7, 2017. Further, the abuse continued after the victim turned sixteen years old, which is the reason the Defendant is also indicted for Criminal Sexual Conduct, Third Degree.

WHEREFORE, for all of the foregoing reasons, the State requests that this Court grant this motion and amend the indictment 2019-GS-26-02099 to read, "on or about or between February 8, 2015 and February 7, 2017."

Date: February 28, 2022

Respectfully Submitted,



C. Leigh Andrew
Senior Assistant Solicitor

RENEEN E. EDWARDS
CLERK OF COURT
HORRY COUNTY, SC

FILED
HORRY COUNTY
2022 MAR 31 AM 10:22

DETERMINED COPY

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

AMENDED

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

DANNY MURPHY

JONATHAN M. HILLER

DEFENDANT)

FILE NO: 26A19-00000649

TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

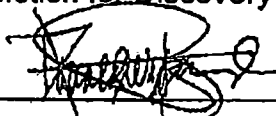
CERTIFIED COPY
FILED
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
AUG 31 A 8:09
HORRY COUNTY

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 12th day of February, 2019, regarding the charge(s) of:

2019A2620600226 Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second degree

2021DI2600083 Sex / Criminal sexual conduct - Third degree

The Defendant's Counsel is **Jonathan M. Hiller**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SC

DATED: August 24, 2021

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

AMENDED

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

DANNY MURPHY

JONATHAN M. HILLER

DEFENDANT)

FILE NO: 26A19-00000649

TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

CERTIFIED COPY
RENEE M. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
FILED
HORRY COUNTY
2021 AUG 24 10:42
RENEE M. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on the 24th day of February, 2019, regarding the charge(s) of:

2019A2620600226 Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second degree

2021DI2600083 Sex / Criminal sexual conduct - Third degree

The Defendant's Counsel is **Jonathan M. Hiller**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.

RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SC

DATED: August 24, 2021

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

DANNY MURPHY

JONATHAN M. HILLER

DEFENDANT)

2019 FEB 15 PM 4:33
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

FILED

FILE NO: 26A19-00000649

TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 12th day of February, 2019, regarding the charge(s) of:

2019A2620600226 Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second degree

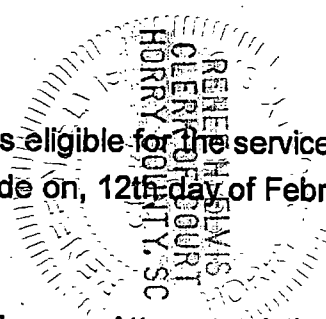
The Defendant's Counsel is **Jonathan M. Hiller**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



ORRIE E. WEST
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SC
DATED: February 13, 2019

CERTIFICATE COPY



STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

NOTICE AND MOTION FOR PRODUCTION
OF SPECIFIC EVIDENCE AND
DISCLOSURE OF WITNESSES.

-VS-

DANNY R MURPHY

DEFENDANT)

2019 FEB 15 PM 4:33
RENEE N. ELYS
CLERK OF COURT
HORRY COUNTY, SC

FILED

FILE NO: 26A19-00000649

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
 - (a) All tangible objects obtained from the scene of the crime; and
 - (b) All tangible objects obtained from the State's witnesses in this case
 - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
 - (a) Analysis of handwriting
 - (b) Photographs secured of the scene of the crime
 - (c) Comparison of fingerprints
8. Make available any facts which tend to exculpate the Defendant.

9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing;
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make us of, at trial;
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
- (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
- (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

2019 FEB 11 11:33 AM
CLERK OF COURT
HORRIGAN COUNTY, S.C.
CERTIFIED COPY

- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L. Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 879 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

ADDITIONALLY DEFENDANT REQUESTS A SPEEDY TRIAL.

The Defendant demands that he be indicted and tried during the next term of General Sessions Court in this County pursuant to his right to a speedy trial under the United States and the South Carolina Constitutions and under 17-23-90. Pursuant to 17-23-90, the defendant requests that if the defendant "shall not be indicted and tried the second term after his commitment.... he shall be discharged from his imprisonment".

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



ORRIE E. WEST
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SOUTH CAROLINA
DATED: February 13, 2019

FILED
 2019 FEB 13 PM 1:50
 CLERK OF COURT
 FIFTEENTH CIRCUIT
 CONWAY, SOUTH CAROLINA