

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA

CASE NO. 2011GS 47 03

V.

ANTHONY STROTHERS  
BREON STROTHERS  
J'QUAYL FRAZIER  
DELARRION CLYBURN  
CODY JOHNSON  
SARIKKIO INGRAM  
DEQUAVIOUS MACKEY  
JAQUAVIOUS PEAY  
FABIAN MCCULLOUGH  
KEVENTA STEVENSON  
BRESHAWN REED  
YOLANDA CASKEY  
SHAWN MEDLEY  
SWADREY MACKEY  
TYQWAN WRIGHT

INDICTMENT FOR  
CRIMINAL GANGS

ORIGINAL FILED

OCT 12 2011

JAMES R. PARKS  
CLERK, STATE GRAND JURY

Criminal Conspiracy  
Common Law  
(1 count)

Attempted Murder  
S.C. Code Ann. § 16-3-29  
(1 count)

Accessory After the Fact to Attempted  
Murder  
S.C. Code Ann § 16-1-55  
(2 count)

Burglary 1<sup>st</sup> Degree  
S.C. Code Ann § 16-11-311  
(1 count)

Accessory After the Fact to Burglary 1<sup>st</sup>  
Degree  
S.C. Code Ann. §16-11-330 (A)  
(2 counts)

Receiving Stolen Goods  
S.C. Code Ann. §16-13-180(2)  
(1 count)

Armed Robbery  
S.C. Code Ann. § 16-11-330(A)  
(4 counts)

Attempted Armed Robbery  
(1 Count)

Accessory After the Fact to Armed Robbery  
S.C. Code Ann. § 16-1-55  
(1 count)

Possession of a weapon during violent crime  
S.C. Code Ann. §16-23-490  
(4 counts)

Soliciting a Person to Participate in Criminal  
Gang Activity  
S.C. Code Ann. §16-8-240(A)  
(3 count)

At a session of the State Grand Jury of South Carolina, convened in Columbia, South Carolina on June 22, 2010, the State Grand Jurors present upon their oath:

**COUNT ONE**  
**CRIMINAL CONSPIRACY**  
**S.C. Code Ann. §16-17-410**

That ANTHONY STROTHERS, BREON STROTHERS, J'QUAYL FRAZIER, DELARRION CLYBURN, CODY JOHSON, SARIKKIO INGRAM, DEQUAVIOUS MACKEY, JAQUAVIOUS PEAY, FABIAN MCCULLOUGH, KEVENTA STEVENSON, BRESHAWN REED, YOLANDA CASKEY, SHAWN MEDLEY, SWADREY MACKEY, TQWAN WRIGHT, and other persons whose names are both known and unknown to the State Grand Jury as members of a criminal gang as defined by §16-8-230(2) did in Lancaster and Kershaw counties, South Carolina, from on or about January 1, 2007 until the present, willfully and knowingly combine with one or more persons for the purpose of accomplishing an unlawful object or lawful object by unlawful means. To wit: As members of "AMNR", a criminal street gang, ANTHONY STROTHERS, BREON STROTHERS, J'QUAYL FRAZIER,

DELARRION CLYBURN, CODY JOHSON, SARIKKIO INGRAM, DEQUAVIOUS MACKEY, JAQUAVIOUS PEAY, FABIAN MCCULLOUGH, KEVENTA STEVENSON, BRESHAWN REED, YOLANDA CASKEY, SHAWN MEDLEY, SWADREY MACKEY, TQWAN WRIGHT, combined with one or more persons for the purpose of accomplishing unlawful objects, including, but not limited to ATTEMPTED MURDER, ARMED ROBBERY, BURGLARY 1<sup>st</sup> DEGREE, POSSESSION OF A WEAPON DURING A CRIME OF VIOLENCE, and RECEIVING STOLEN GOODS in direct violation of Section 16-17-410 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT TWO**  
**ATTEMPTED MURDER**  
**S.C. Code Ann. §16-3-29**

That CODY JOHNSON did in Lancaster County on or about January 19, 2011, with the intent to kill, attempt to kill another with malice aforethought. To wit: Cody Johnson did shoot at and hit Lamar Twitty, in direct violation of Section 16-3-29, of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT THREE**  
**ACCESSORY AFTER THE FACT TO ATTEMPTED MURDER**  
**S.C. Code Ann. §16-1-55**

That SHAWN MEDLEY and FABIAN MCCULLOUGH, did in Lancaster County from January 19, 2011 through January 20, 2011, after knowing that a felony was committed by Cody Johnson, harbor and/or assist Cody Johnson. To wit: SHAWN MEDLEY and FABIAN MCCULLOUGH did harbor and/or assist Cody Johnson by stashing and concealing the gun used by Cody Johnson in the shooting of Lamar Twitty that occurred on January 19, 2011. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT FOUR**  
**ACCESSORY AFTER THE FACT TO ATTEMPTED MURDER**  
**S.C. Code Ann. §16-1-55**

That BREON STROTHERS, did in Lancaster County on or about January 19, 2011 through January 20, 2011, after knowing that a felony was committed by Cody Johnson, harbor and/or assist Cody Johnson. To wit: Breon Strothers did harbor and/or assist Cody Johnson by advising and directing Cody Johnson to hide the gun used by Cody Johnson in the shooting of Lamar Twitty that occurred on January 19, 2011. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT FIVE  
BURGLARY 1<sup>ST</sup> DEGREE  
S.C. Code Ann. §16-1~~3~~-311 (A)**

That DELARRION CLYBURN, J'QUAYL FRAZIER, and DeQUAVIOUS MACKEY did in Kershaw County on or about June 7, 2011, willfully and intentionally enter a dwelling without consent with the intent to commit a crime therein and were armed with a firearm and/or deadly weapon upon entry or during immediate flight. To wit: DELARRION CLYBURN, J'QUAYL FRAZIER, and DeQUAVIOUS MACKEY did break into the home of Wofford Perry, 2367 Anns Loop, Liberty Hill, South Carolina, did steal firearms and other properties, and did leave the dwelling armed with a deadly weapon. This is in direct violation of South Carolina Code of Laws § 16-1~~3~~-311, 1976, as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT SIX  
ACCESSORY AFTER THE FACT TO BURGLARY 1<sup>ST</sup> DEGREE  
S.C. Code Ann. §16-1-55**

That BREON STROTHERS, did in Lancaster County on or about June 7, 2011 after knowing that a felony was committed by DELARRION CLYBURN, J'QUAYL FRAZIER, and DeQUAVIOUS MACKEY, harbor and/or assist these individuals. To wit: Breon Strothers did harbor and/or assist the above listed individuals by stashing and disposing of the firearms removed during the Burglary that occurred at 2367 Anns Loop, Liberty Hill, South Carolina on June 7, 2011. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising

out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT SEVEN**  
**ACCESSORY AFTER THE FACT TO BURGLARY 1<sup>ST</sup> DEGREE**  
**S.C. Code Ann. §16-1-55**

That ANTHONY STROTHERS, did in Lancaster County on or about June 7, 2011, after knowing that a felony was committed by DELARRION CLYBURN, J'QUAYL FRAZIER, and DeQUAVIOUS MACKEY, harbor and/or assist these individuals. To wit: Anthony Strothers did harbor and/or assist the listed individuals by advising and instructing them to hide the firearms removed during the Burglary that occurred at 2367 Anns Loop, Liberty Hill, South Carolina on June 7, 2011 and by issuing an order for silence to each individual involved in the Burglary. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT EIGHT**  
**RECEIVING STOLEN GOODS**  
**S.C. Code Ann. §16-13-180(2)**

That BRESHAWN REED, did in Lancaster County on or about June 7, 2011 through June 8, 2011, buy, receive, or possess stolen goods, chattels, or other property that he knew or had reason to know were stolen. To wit: Breshawn Reed did take possession of a computer which he knew or should have known was stolen and the said

computer had a value of greater than \$1,000 but less than \$5,000. This being in direct violation of Section 16-13-180(2) of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT NINE  
ARMED ROBBERY  
S.C. Code Ann. §16-11-330(A)**

That CODY JOHNSON, J'QUAYL FRAZIER and JAQUAVIOUS PEAY did in Lancaster County, South Carolina, on or about December 13, 2010, commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: Cody Johnson, J'Quayl Frazier, and Jaquavious Peay while possessing a firearm, did feloniously take from the person or presence of Mike Patel, (AM/PM Store) 1553 Lynnwood Drive, Lancaster South Carolina, by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (A), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended

**COUNT TEN**  
**ACCESSORY AFTER THE FACT TO ARMED ROBBERY**  
**S.C. Code Ann. §16-1-55**

That YOLANDA CASKEY, did in Lancaster County on or about Decemeber 13, 2010, after knowing that a felony was committed by CODY JOHNSON, harbor and/or assist this individual. To wit: YOLANDA CASKEY did harbor and/or assist the above listed individual by traveling to the location of the Armed Robbery, the AM/PM Store, and driving away Cody Johnson after he and codefendants committed the Armed Robbery. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT ELEVEN**  
**ARMED ROBBERY**  
**S.C. Code Ann. §16-11-330(A)**

That CODY JOHNSON, J'QUAYL FRAZIER and SARRIKIO INGRAM did in Lancaster County, South Carolina, on or about November 19, 2010, commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: Cody Johnson, J'quayl Frazier, and Sarrikio Ingram, while possessing a firearm, did feloniously take from the person or presence of Shelah Denise Davis, Westgate Exxon,

1101 West Meerting Street, Lancaster South Carolina by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (A), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT TWELVE  
ARMED ROBBERY  
S.C. Code Ann. §16-11-330(A)**

That CODY JOHNSON, J'QUAYL FRAZIER, and YOLANDA CASKEY did in Lancaster County, South Carolina, on or about November 29, 2010, commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: Cody Johnson, J'Quayl Frazier, and Yolanda Caskey while possessing a firearm, did feloniously take from the person or presence of Natubhai Patel, Pantry Pack 2014 Lynnwood Drive, Lancaster South Carolina by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (A), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT THIRTEEN  
ARMED ROBBERY  
S.C. Code Ann. §16-11-330(A)**

That J'QUAYL FRAZIER, FABIAN MCCULLOUGH, and TYQUAN WRIGHT did in Lancaster County, South Carolina, on or about January 11, 2010, commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: J'Quayl Frazier, Fabian Mccullough, and Tyquan Wright, while possessing a firearm, did feloniously take from the person or presence of Sihwa Moon, Midway Grocery, 426 West Meeting Street, Lancaster South Carolina, by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (A), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT FOURTEEN  
ATTEMPTED ARMED ROBBERY  
S.C. Code Ann. §16-11-330(B)**

That CODY JOHNSON did in Lancaster County on or about December 15, 2010, attempt to commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: Cody Johnson, while possessing a firearm, did attempt to feloniously take from the person or presence of Jackie and Jason Moon, owners of Midway Grocery, by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (B), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT FIFTEEN  
POSSESSION OF A WEAPON DURING VIOLENT CRIME  
S.C. Code Ann. §16-23-490**

That CODY JOHNSON, J'QUAYL FRAZIER, and YOLANDA CASKEY did in Lancaster County, South Carolina, on or about November 29, 2010 possess or visibly display a firearm during the commission or attempted commission of a violent crime. To wit, Cody Johnson, J'Quayl Frazier, Yolanda Caskey did possess or visibly display a

firearm during the commission of a Armed Robbery, in violation of Code §16-23-490. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT SIXTEEN**  
**POSSESSION OF A WEAPON DURING VIOLENT CRIME**  
**S.C. Code Ann. §16-23-490**

That J'QUAYL FRAZIER, FABIAN MCCULLOUGH, and TYQUAN WRIGHT did in Lancaster County, South Carolina, on or about January 11, 2010, possess or visibly display a firearm during the commission or attempted commission of a violent crime. To-wit, J'Quayl Frazier, Fabian Mccullough, and Tyquan Wright did possess or visibly display a firearm during the commission of a Armed Robbery, in violation of Code §16-23-490. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT SEVENTEEN**  
**POSSESSION OF A WEAPON DURING VIOLENT CRIME**  
**S.C. Code Ann. §16-23-490**

That CODY JOHNSON, J'QUAYL FRAZIER, and SARRIKIO INGRAM did in Lancaster County, South Carolina, on or about November 19, 2010, possess or visibly display a firearm during the commission or attempted commission of a violent crime. To-wit, Cody Johnson, J'Quayl Frazier, Sarrikio Ingram did possess or visibly display a firearm during the commission of a Armed Robbery, in violation of Code §16-23-490.

Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT EIGHTEEN**  
**POSSESSION OF A WEAPON DURING VIOLENT CRIME**  
**S.C. Code Ann. §16-23-490**

That CODY JOHNSON, J'QUAYL FRAZIER, JAQUAVIOUS PEAY did in Lancaster County, South Carolina, on or about December 13, 2010, possess or visibly display a firearm during the commission or attempted commission of a violent crime. To-wit, Cody Johnson, J'Quayl Frazier, and Jaquavious Peay did possess or visibly display a firearm during the commission of a Armed Robbery, in violation of Code §16-23-490. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT NINETEEN**  
**SOLICITING A PERSON TO PARTICIPATE IN CRIMINAL GANG ACTIVITY**  
**S.C. Code Ann. §16-8-240 (A)**

That BREON STROTHERS who is a member of a criminal gang as defined by §16-8-230(2), did in Lancaster County, South Carolina, from on or about January 1, 2008 until the present, knowingly use, or threaten to use, physical violence against another person with the intent to coerce, induce, or solicit that person or another person to actively participate in criminal gang activity, or to prevent another criminal gang member

from withdrawing from or leaving a criminal gang in violation of Section 16-8-240 (A), Code of Laws of South Carolina (1976), as amended. To wit: Breon Strothers did knowingly use or threaten to use physical violence upon J'Quayl Frazier in an effort to coerce, induce or solicit him into actively participating in AMNR, a criminal gang as defined by §16-8-230(2). Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

**COUNT TWENTY**  
**SOLICITING A PERSON TO PARTICIPATE IN CRIMINAL GANG ACTIVITY**  
**S.C. Code Ann. §16-8-240 (A)**

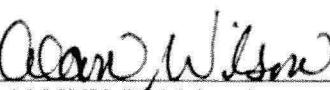
That ANTHONY STROTHERS who is a member of a criminal gang as defined by §16-8-230(2), did in Lancaster County, South Carolina, from on or about January 1, 2008 until the present, knowingly use, or threaten to use, physical violence against another person with the intent to coerce, induce, or solicit that person or another person to actively participate in criminal gang activity, or to prevent another criminal gang member from withdrawing from or leaving a criminal gang in violation of Section 16-8-240 (A), Code of Laws of South Carolina (1976), as amended. To wit: Anthony Strothers did knowingly use or threaten to use physical violence upon J'Quayl Frazier, Kevante Stevenson, and Dequavious Mackey in an effort to coerce, induce or solicit him into actively participating in AMNR, a criminal gang as defined by §16-8-230(2). Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended

**COUNT TWENTY-ONE**  
**SOLICITING A PERSON TO PARTICIPATE IN CRIMINAL GANG ACTIVITY**  
**S.C. Code Ann. §16-8-240 (A)**

That SWADREY MACKEY who is a member of a criminal gang as defined by §16-8-230(2), did in Lancaster County, South Carolina, from on or about January 1, 2008 until the present, knowingly use, or threaten to use, physical violence against another person with the intent to coerce, induce, or solicit that person or another person to actively participate in criminal gang activity, or to prevent another criminal gang member from withdrawing from or leaving a criminal gang in violation of Section 16-8-240 (A), Code of Laws of South Carolina (1976), as amended. To wit: Swadrey Mackey did knowingly use or threaten to use physical violence upon J'Quayl Fraizer, Dequavious Mackey, J'Quayl Frazier in an effort to coerce, induce or solicit him into actively participating in AMNR, a criminal gang as defined by §16-8-230(2). Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

A True Bill

  
Michael E. Earnhardt  
FOREMAN

  
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ALAN WILSON (cng)  
ATTORNEY GENERAL