

APPENDIX 2

Order of South Carolina Family Court
Transferring Jurisdiction to Court of General Sessions (June 27, 2003)

STATE OF SOUTH CAROLINA
COUNTY OF CHESTER

RECEIVED BY
IN THE FAMILY COURT
SIXTH JUDICIAL CIRCUIT
2003 JUN 27 A (F-114-12-69, 70, & 71)

IN THE INTEREST OF:
CHRISTOPHER FRANK PITTMAN

FAMILY COURT
CHESTER, SC 29706. ORDER

A Minor under the age of
Seventeen (17) years,

This matter was before the Court on June 25, 2003 for a waiver hearing. Present were John R. Justice, Solicitor; Christopher F. Pittman, the Defendant; Milton Hamilton, the Defendant's Guardian ad litem; and the Defendant's attorney, Yale Zamore.

Based on the testimony presented by Inv. Lucinda H. McKellar of the Chester County Sheriff's Department, Agent Scott C. Williams, of the State Law Enforcement Division, Dr. Barbara H. Hartt, Ph.D., and the pre-waiver evaluation conducted by the Department of Juvenile Justice, as well as other evidence, the Court finds and concludes;

1. The Defendant, Christopher F. Pittman was born on April 9, 1989 and is fourteen (14) years old.
2. The Defendant has been charged with Murder (2 counts), and Arson in the First Degree.
3. The alleged offenses occurred in Chester County on or about November 28-29, 2001, when the Defendant was twelve (12) years old.

(The following findings are based on the criteria listed by the United States Supreme Court in Kent v. United States 383 U.S. 541 (1966).

4. There is probable cause to believe the Defendant committed the crimes for which he is charged.
5. The seriousness of the offenses is against persons and is of such gravity as to require waiver for the protection of the community.
6. The alleged offenses are of a premeditated nature.

7. There is sufficient merit to warrant the grand jury returning a true bill on the charges.
8. The crimes for which the Defendant is charged are of a serious nature and if found guilty, would suggest he is capable of acting without regard for others.
9. Based on the evidence presented it is the opinion of this Court that it is not likely the Defendant could be rehabilitated.

CONCLUSIONS OF LAW

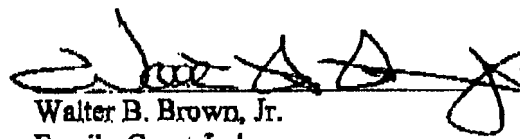
1. The Court has jurisdiction over this matter pursuant to South Carolina Code of Laws 20-7-7605.
2. Based upon the autopsy report the facts would not support the charge of Arson in the First Degree (death being caused by gunshot wounds) and this charge shall be reduced by stipulation of the Solicitor to Arson in the Second Degree.
3. Based upon the factors outlined above, the Court concludes that there is little likelihood that Christopher F. Pittman can be rehabilitated in the Juvenile Justice System.
4. It is in the best interest of Christopher F. Pittman that he be waived to the Court of General Sessions for proceedings on the charges alleged in Petition Numbers 01-JU-12-69, 70, 71.

IT IS THEREFORE ORDERED THAT jurisdiction of this matter shall be transferred to the Court of General Sessions.

IT IS FURTHER ORDERED THAT bail be denied at this time, and that bail may be reconsidered by a Circuit Court Judge upon motion of the Defendant.

AND IT IS SO ORDERED.

Winnaboro, South Carolina
June 27, 2003


Walter B. Brown, Jr.
Family Court Judge
Sixth Judicial Circuit