

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

Arrest Warrant #: 2023A1810200349,
2023A1810200348, 2023A1810200347

vs.

Indictment #: (not indicted yet) 2023GS18-006680,
2023GS18-006929, 2023GS18-00628

I. ANTZ COX

DEFENDANTS

**State's Supplemental Response to Defense Motion
to Reinstate Bond**

David Osborne
CLERK OF COURT
DORCHESTER COUNTY
SOUTH CAROLINA

2023 JUN 12 AM 8:49

CERTIFIED COPY

The Defense filed a Motion to Reinstate Bond, which was heard on June 9, 2023, and the Court has taken the matter under advisement. Defendant was represented by Chris Murphy Esq. and the case is prosecuted by Senior Litigation Counsel David Osborne. Based on comments made during the hearing and legal representations made regarding the bond statutes, the State is filing a Supplemental Response.

FACTUAL SUMMARY

As way of background, the alleged facts which led to Defendant's arrest are as follows: The victim, Tiffany Owens and Defendant had been dating for about six months before they broke up in January of 2023. Even though they broke up, the two remained on speaking terms. On March 11, 2023, Tiffany planned to go to a St. Patrick's Day celebration. She spoke to Defendant that same day and he said he would change his behavior and suggested they rekindle their relationship. He asked if he could attend the celebration with Tiffany and her friends. Tiffany knew it wasn't a good idea, but she acquiesced and agreed. After the celebration, Defendant accompanied Tiffany back to her home at 407 Cooper Hawk Dr. in Dorchester County. Once home, Tiffany felt Defendant had too much to drink and shouldn't drive back to his home on Clement's Ferry Rd., so she asked him to stay the night. However, she insisted he

sleep in the guest room. This angered Defendant. Defendant then grabbed Tiffany and screamed, “why can’t you just love me.” Tiffany cried and said, “you’re hurting me.” He refused to let go. Tiffany was able to free herself and said she was going to call the police. She grabbed her phone, but Defendant snatched it from her hand and threw the phone from her reach. Tiffany then ran upstairs, grabbed her dog, then locked herself in her bedroom. Defendant then lit her jacket on fire and shoved it under the door. Tiffany then opened the door and ran outside. As she passed Defendant, she saw he was trying to light her clothes on fire. She said, “what are you doing?” and Defendant replied, “I’m going to burn the whole motherfucker down.” Once outside, Tiffany called 911. When Summerville Police Department officers arrived, they observed the couches in Tiffany’s home on fire. Officers yelled for Defendant to exit the home and he refused. Officers entered the home and found Defendant upstairs and placed him under arrest. Defendant was charged with Assault and Battery of a High and Aggravated Nature, Kidnapping, and Arson in the second degree.

PROCEDURAL SUMMARY

At Defendant’s initial bond setting, the magistrate judge issued a strict no contact order with Tiffany. Defendant disregarded the order and on April 5, 2023, Tiffany received flowers from Defendant.¹ Two days later April 7, 2023, Tiffany received seven texts from Defendant. On April 10, 2023, Tiffany filed a Restraining Order, which was signed by Judge Russull Demot on May 26, 2023.

¹ At the Motion to Reinstate Defendant’s bond, Mr. Murphy presented an email from “1-800-Flowers” where Defendant ordered the flowers for Tiffany on April 3, 2023. Apparently Defendant attempted to cancel the order the next day on April 4, 2023. Since the order had already been processed, the flowers were sent anyways. What was not mentioned during the hearing is the note which accompanied the flower order that read, “It’s always been you Tiff!-CB.” Tiffany did not know who ordered these flowers and it wasn’t until this hearing that Tiffany knew “CB” was an alias used by Defendant. It’s unclear the meaning of “CB.” (See Attached Exhibit 1)

Based on Defendant's clear violation of the no-contact order, the State filed a Notice of an Emergency Motion to Revoke Bond on April 10, 2023. (See Attached Exhibit 2) The notice was sent to Defendant's attorney, Clay Hopkins, Esq.² The Emergency Bond Revocation Motion was heard on April 12, 2023 by Judge Maite Murphy. At the onset of the hearing, the Court was notified Defendant would not be attending the hearing and had checked himself into the Medical University of South Carolina. Judge Murphy asked if Defendant could check himself out of the hospital to attend the hearing and Mr. Hopkins was unsure. The hearing went forward, and Judge Murphy heard all the facts concerning the Motion to Revoke. Judge Murphy then issued an order revoking the Defendant's bonds. Judge Murphy added that Defendant could seek mental health treatment at MUSC, but he would not be free to discharge himself and he had to be equipped with a GPS monitor. "The bondsman must be willing to maintain him in this fashion until his discharge at which time the *Defendant will be returned* to the Dorchester County Detention Center." (emphasis added) (See Attached Exhibit 3)

On May 8, 2023, a Consent Order of Substitution was filed naming Mr. Murphy Defendant's new attorney of record. On May 24, 2023, Mr. Murphy filed a Motion to Reinstate Bond. (See Attached Exhibit 4)

ARGUMENT

South Carolina Rule of Criminal Procedure Rule 4(b) states, "[i]f any motions be made to any judge and be denied, in whole or in part, or be granted conditionally, no subsequent motion upon the same set of facts shall be made to any other judge in that action. If upon such subsequent motion any order be made, it shall be void."³ The State filed an Emergency Bond

² At the Motion to Reinstate hearing, Mr. Murphy provided documentation showing Defendant checked himself into MUSC on the same date the Emergency Bond Revocation Motion was filed. Defendant reported to MUSC.

"Hopelessness and feeling as if I'm all alone." After being evaluated, Defendant was admitted to the hospital.

³ SCRPC Rule 4(b).

Revocation Motion pursuant to §17-15-55(B)(3) and that motion was granted by Judge Murphy. A close reading of §17-15-55 doesn't provide clear guidance as to when a Defendant may file a Motion to Reinstate Bond after his bond has been revoked by a general sessions judge based on the State's Motion to Revoke. However, the spirit of the statute is clear, there needs to be a "prima facie showing of material change in circumstances" or "the defendant has been held for trial after six months." The only change of circumstances here is Defendant appears to have attempted to cancel the order for flowers to Tiffany. The State submits this doesn't constitute a "material change of circumstances" especially considering he texted Tiffany over seven times *after* he apparently attempted to cancel the flower order.

Given these facts, the State submits that granting a bond under these circumstances violates SCR 4. Furthermore, the State believes Judge Murphy's Bond Revocation Order addresses concerns for Defendant's mental health treatment and protects the victim during the prosecution of this case.



David Osborne
Senior Litigation Counsel
First Judicial Circuit

St. George, South Carolina
Dated: 6-11-23



Enter Keyword or Product Number

SEARCH

REMINDERS

Sign In

My Orders

(0) Cart

MOTHER'S DAY BIRTHDAY SYMPATHY OCCASIONS FLOWERS PLANTS GIFT BASKETS & FOOD GIFTS & MORE SAME-DAY DELIVERY SALE MOMVERSE

ORDER DETAILS

Print

ORDER #: 5857161520

ORDER DATE: April 3, 2023

RECIPIENT

Tiffany Owens



DELIVERY DATE

Arrives on April 5, 2023

GIFT MESSAGE

It's always been you Tiff! - CB

Your order has already been processed and can no longer be modified.

Collapse Product Details ^



Purple & Yellow Tulips
1-800-Flowers



DELIVERED

TRACKING: 642785920979

ITEM #: 1471285

Price: \$39.99
Qty: 1

Collapse Billing Details ^

Register or Sign-In to access billing details.

Orders That Can Be Modified

- To edit a section, click the **MODIFY** button.
- Each order can be modified once. Edit all sections before clicking **SUBMIT**.
- You'll receive an email confirming your changes.

Payment details cannot be edited online.

Orders That Cannot Be Modified

"This Order May No Longer Be Modified" means that your order has been processed and is ready to be shipped, in-transit, or out for delivery.

[+]
Feedback

Chat

From: Chelsey Davis
To: Chris Murphy
Subject: FW: Refund Confirmation
Date: Monday, May 8, 2023 12:06:00 PM

Chelsey Parker
Paralegal
Murphy Law Firm, L.L.C.
136 West Richardson Avenue
Summerville, SC 29483
Phone: (843) 832-1120
Fax: (843) 832-5969
www.murphylawfirmllc.com

Office Hours
Mon - Thurs: 8:30am - 5:00pm
Friday: 8:30 am - 3:00pm

This communication, together with any attachments, may contain information that is confidential, proprietary, legally privileged or otherwise exempt from disclosure. If you are not the intended recipient of this communication, you are hereby notified that the distribution, reading, copying or other use of this communication and any attachments hereto is strictly prohibited. If you have received this in error, please reply immediately to the sender or destroy this communication. Thank you for your cooperation.

From: Lantz C [REDACTED]
Sent: Monday, May 8, 2023 11:09 AM
To: Chelsey Davis <chelsey@murphylawfirmllc.com>
Subject: Fwd: Refund Confirmation

- Lantz

Begin forwarded message:

From: Lantz C [REDACTED]
Date: May 8, 2023 at 10:59:23 AM EDT
To: stalveycherie@gmail.com
Subject: Fwd: Refund Confirmation

- Lantz

Begin forwarded message:

From: "1-800-FLOWERS.COM Customer Service" <scustserv@1800flowers.com>
Date: April 4, 2023 at 9:18:59 AM EDT
Subject: Refund Confirmation
Reply-To: noreply@1800flowers.com

Please do not reply to this email as it was sent from a notification-only address that cannot accept incoming emails.
You can email us using our [Online Customer Service Inquiry Form](#).

Dear LANTZ COX,

When you order from 1800Flowers.com, we want it to be the best possible experience. When we hear that a customer isn't completely satisfied, we're not completely satisfied either.

As we discussed, here is the confirmation of your refund. We have issued the refund. This should be reflected in your statement in one to two billing cycles. Please see the details below.

Order Number : W01005857161520

Total Amount : 43.59

Refund Amount : 43.59

Adjusted Amount : 0

All my best,

1800Flowers.com

[Customer Service](#)

[Shop Again](#)

[Privacy](#)

EXHIBIT

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

) IN THE COURT OF GENERAL
) SESSIONS
) FIRST JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

) WARRANT: 2023A1810200347
) 2023A1810200348 and 2023A1810200349

vs.

) INDICTMENT: 2023GS18-0062
) 2023GS18-00630

Lantz Lewayne Cox,
DEFENDANT.

) NOTICE OF AN EMERGENCY
) MOTION TO REVOKE BOND

David Osborne
CLERK OF COURT
DORCHESTER COUNTY

2023 APR 10 PM 3:24

CERTIFIED COPY

TO: J. Clay Hopkins, ATTORNEY FOR DEFENDANT

PLEASE TAKE NOTICE that the State intends to move to revoke the above-referenced defendant's bond on April 13, 2023, or as soon thereafter as this matter may be heard. Defendant was arrested on March 11, 2023 and charged with Arson 2nd degree, kidnapping, and Assault and Battery of High and Aggravated Nature and was given a \$90,000.00 surety bond with the following conditions: do not leave the state of South Carolina without the Courts approval, and do not have any contact with the victim by any means, verbally electronically and nor by third party. On April 4, 2023, law enforcement was contacted about several contacts from the defendant. The defendant is in violation of the terms of his bond and is a substantial danger to the community. See attached memo from the victim.

David Osborne
David Osborne, Esquire
Assistant Solicitor
First Judicial Circuit

April 10, 2023
St. George, South Carolina.

Good morning,

I'm writing to request the revocation of Lantz Lewayne Cox's bond set on 3/13/23. Lantz violated his bond conditions set by Judge Shelbourne on 4/5/23 and again on 4/7/23 when he contacted me against the zero contact restrictions outlined in his bond documentation.

On 3/11/23, Lantz physically assaulted me, took my phone so I couldn't contact Law Enforcement, then barricaded me in a room by setting my jacket on fire and shoving it under the door. When I escaped and ran downstairs to grab my phone to contact 911, he then set my couches on fire.

Lantz was arrested on Arson 2nd Degree, Kidnapping, and ABHAN. He bonded out on 3/13/23. I took immediate action in having a security system installed in my home, motion detection lights installed, and obtaining a firearm to protect myself and my two children. I also visited the Victim's Advocate, Margie Richter (sp?), on 3/13/23 and she advised that I was not eligible for an Order of Protection because we were not married, didn't share a residence, nor had a child together. She provided a copy of his bond documentation and advised me to contact DCSO if he reached out since there was a zero contact condition. She also said that I would qualify for a permanent restraining order once we went to trial. This seemed absurd to me, but as a professional who works with victims daily, I trusted her guidance.

There were several weeks with no contact from Lantz, however I received flowers from him on 4/5/23 (receipt attached) and seven direct messages via Instagram on 4/7/23 (also attached). He also contacted my neighbors on 4/7/23 (attached). His messages were that he was 'OTW' which immediately set us all into a panic, and my neighbors called 911 and moved me to one of their houses in case he did show up. His messages were also suicidal in nature. Deputies Barrington and Edwards responded to the call (they were also the Deputies on the scene of the initial incident). Deputy Barrington advised that he would write a warrant for harassment since Lantz continued to contact me even after I advised him to stop in writing.

On Saturday, 4/8/23, Detective Griffin reached out letting me know he'd been assigned to my case and that Deputy Barrington was working on the warrant and they were also trying to get his bond revoked since he violated the stated conditions. That night, Deputy Barrington came by to patrol and let me know that he was advised the warrant likely wouldn't be signed because he didn't threaten me. The problem is HE DID. He stated that he was OTW to my house when he was not to contact me.

Detective Griffin did confirm that he was transported to MUSC on 4/7/23 as Berkeley County was called to do a wellness/suicide check and his roommate found him trying to kill himself.

Lantz is suicidal and threatened killing himself three times in the six months we dated. His brother and I had to do an intervention in January because he sent texts threatening to kill himself then would not respond to texts or calls so we thought he was dead. He went and set out on my balcony in a hotel and threatened to go over in January also. He is not only a danger to himself, he is a danger to me, my children, my family, and my friends.

Please consider the severe nature of the initial charges and the fact that he has zero respect in complying with bond conditions on top of being suicidal and a threat to my well-being as well as my children's and request his bond. He deserves to be behind bars until his trial date as no one is safe (including himself) with him out of society.

Thank you for your time and consideration,
Tiffany Owens
Summerville, SC 29483

Tiffany Owens
CLERK OF COURT
BERKELEY COUNTY
APR 10 PM 3:24
CERTIFIED COPY

OCA# 23002561 (initial report on 3/11/23)
Criminal Charging Document #: 2023A11810200347, 2023A181002348, 2023A181002349

OCA # 23003538 (report from 4/7/23)

Exhibit 3

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

) IN THE COURT OF GENERAL
) SESSIONS
) FIRST JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

) WARRANT: 2023A1810200347
) 2023A1810200348 and 2023A1810200349

vs.

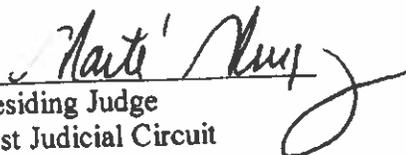
) INDICTMENT: 2023GS18-00628-
) 2023GS18-00630

Lantz Lewayne Cox,
DEFENDANT.

) Order Revoking Bond

This matter came before the Court on April 12, 2023 for the purpose of the State's Motion to Revoke Bond. The State was represented by Assistant Solicitor Shannon Elliott and Defendant was represented by Clay Hopkins.

Defendant was arrested March 11, 2023 and charged with Arson 2nd degree, kidnapping, and Assault and Battery of High and Aggravated Nature. After hearing arguments from both the State and the Defense, the court ordered the Defendant's bond be revoked unless and until the Defendant can provide proof that he is enrolled in mental health treatment with MUSC, that Defendant is not free to discharge himself until treatment is committed, and that he is equipped with a GPS monitor. The bondsman must be willing to maintain him in this fashion until his discharge at which time the Defendant will be returned to the Dorchester County Detention Center. All other condition of the bond remains in effect.


Presiding Judge
First Judicial Circuit

April 14, 2023
St. George, South Carolina.

E N 1111 1

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)
)
STATE OF SOUTH CAROLINA)
)
versus)
)
LANTZ L. COX,)
)
Defendant.)

IN THE GENERAL SESSIONS COURT
FOR THE FIRST JUDICIAL CIRCUIT
WARRANT NO(S): 2023A1810200347
2023A1810200348 and 2023A1810200349

Motion to Reinstate Bond

FILED-RECORDED
5/24/2023
Cheryl Graham
Clerk of Court
Dorchester County

TO: Assistant Solicitor David Osborne, Esq.
First Judicial Circuit

PLEASE TAKE NOTICE that the Defendant above named, by and through his attorney, Christopher J. Murphy, hereby requests and moves before the presiding Judge as soon after the service of this motion as may be heard for a Motion to Reinstate Bond.

WHEREAS the Defendant was arrested on or about March 11, 2023, and charged with Arson 2nd degree, kidnapping, and Assault and Battery of High and Aggravated Nature. At the initial arraignment a surety bond was issued by the presiding Dorchester County Magistrate.

WHEREAS the Defendant failed to follow his conditions of his bond and Defendant's bond was revoked on or about April 14, 2023.

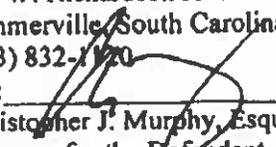
WHEREAS the Defendant has retained local counsel to represent him on these charges and will adhere to the following bond conditions:

1. The Defendant will be on house arrest residing with his parents at his parents' home located in Williamsburg County at 5 Iris Drive, Hemingway, SC 29554.
2. The Defendant shall only be allowed to leave the residence for; appointments with his attorney, court appearances, medical appointments, and employment.
3. The Defendant shall seek a medical evaluation from MUSC upon his release and follow all recommendations.
4. The Defendant will have no contact, directly or indirectly with the victim.

5. The Defendant will agree to a zero tolerance for any violation of these conditions.
Said motion is made in good faith and based upon the statutory and case law of the State of South Carolina, and other matters of record to be presented at the hearing.

I SO MOVE:

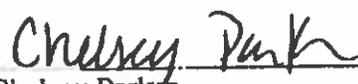
Summerville, South Carolina
May 23, 2023

MURPHY LAW FIRM LLC
136 W. Richardson Ave.
Summerville, South Carolina 29483
(843) 832-1120
BY: 
Christopher J. Murphy, Esquire
Attorney for the Defendant

CERTIFICATE OF SERVICE

I, Chelsey Parker, Legal Assistant to Christopher J. Murphy, do hereby certify that I have this date emailed a copy of the Defendant's Motion to Reinstate Bond to the Plaintiff by emailing to the following persons at the following email address:

Assistant Solicitor David Osborne, Esq.
DOsborne@dorchestercountysc.gov


Chelsey Parker

Christopher J. Murphy
CHRIS@MURPHYLAWFIRM.LLC.COM



(843) 832-1120
(888) 833-1120 (Toll Free)
(843) 832-5969 (Fax)

136 West Richardson Avenue
Summerville, South Carolina 29483
www.murphylawfirmllc.com

May 24, 2023

Dorchester County Clerk of Court
5200 E. Jim Bilton Blvd.
St. George, SC 29477

FILED-RECORDED

5/24/2023

Cheryl Graham
Clerk of Court
Dorchester County

RE: State vs. Lantz L. Cox
Warrant No(s): 2023A1810200347-2023A1810200349

Dear Clerk:

Please find enclosed the original Motion to Reinstate Bond, along with one copy in the above referenced matter. Please file the original and return the certified copy in the self-addressed, stamped envelope provided.

Thank you for your assistance in this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,

MURPHY LAW FIRM, L.L.C.

Chelsey Parker
Paralegal

Enclosures