

The State of South Carolina



SOLICITOR

Ernest A. Finney, III
Solicitor

Third Judicial Circuit
Sumter County Courthouse
141 North Main Street
Sumter, South Carolina 29150

Phone: (803) 436-2185
Fax: (803) 436-2189

August 10, 2020

Special Agent Kyle Radford
South Carolina Law Enforcement Division
181 East Evans Street-Suite 2-BTC-021
Florence, South Carolina 29506

Re: Sumter County Investigation- Subject: Hastie
File: 33- 20-0059

Dear Special Agent Radford:

I am writing to inform you that our review of the investigative file revealed a lack of probable cause to prosecute the subject in the above referenced matter. The file does not contain enough substantial evidence to charge and convict the subject of stealing the personal property of Mr. Craig Davis.

The file contains interviews with both the subject (Hastie) and the victim (Davis). It is clear that there was discussion between the two men prior to the items being removed from 230 Palmetto Street. Davis confirms that fact in his e-mail to Hastie on May14, 2020, where he writes:

“Reason being, you and I discussed the benches when you called me and inquired about them and we discussed nothing else on the property.”

Mr. Hastie asserted in his interview that after discussions with Davis he believed the items were not wanted by Davis and he could take them.

Davis wrote in reply to Hastie’s apology about taking the items in an e-mail saying:

“We called you from your porch and rang your bell but got no response, no answer. So, we considered the bell stolen. No harsh feelings, no love lost on this end”.

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In order to charge a person with larceny or theft of property we must have evidence of criminal intent. There is no evidence of that in this case. It is more likely that this issue arose because of misunderstanding and not malice. Moreover, if Mr. Davis feels the bell which was returned is not the same bell he can file a civil action for damages.

Thank you for contacting this office and for all the hard work your office has provided. We look forward to assisting you in the future if and when the need arises.

Please do not hesitate to contact this office if we can provide you with any additional information.

Sincerely,

Ernest A. Finney, III

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