



South Carolina Law Enforcement Division

P.O. Box 21398
Columbia, South Carolina
29221-1398

Henry D. McMaster, Governor

Mark A. Keel, Chief

Tel: (803) 737-9000

FOR IMMEDIATE RELEASE
September 12, 2023

Renée Wunderlich
Director of Public Information
(803) 260 – 3020
rwunderlich@sled.sc.gov

SLED CHARGES HAMPTON COUNTY MAN WITH ATTEMPTED MURDER, POSSESSION OF A WEAPON DURING A VIOLENT CRIME

Agents with the South Carolina Law Enforcement Division (SLED) charged Franklin Radell Smoak, Jr., 24, on Monday, September 11, 2023, with Attempted Murder, and Possession of a weapon during a violent crime.

Details can be found in the attached warrants.

Smoak was booked at the Jasper County Detention Center.

The case will be prosecuted by the 14th Circuit Solicitor's Office.

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An Accredited Law Enforcement Agency



ARREST WARRANT

2023A2710200375

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Jasper

THE STATE

against

Franklin Radell Smoak, Jr

Address: [Redacted] Varnville, SC 29944-4632

Phone: [Redacted] SSN: [Redacted] Sex: M Race: B Height: 5 9 Weight: 180

DL State: SC DL #: [Redacted]

DOB: [Redacted] /1999 Agency ORI #: [Redacted]

Prosecuting Agency: Sled Alcohol Enforcement/Vice Services

Prosecuting Officer: Wayne C Kirby, III - S00631

Offense: Assault / Attempted Murder

Offense Code: 3410

Code/Ordinance Sec: 16-03-0029

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 Franklin Radell Smoak Jr on September 11, 2023

[Signature] Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions 265 Russell Street Po Box 248 Ridgeland, SC 299360248

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STATE OF SOUTH CAROLINA)

[X] County/ [] Municipality of)

Jasper)

AFFIDAVIT

ORIGINAL

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

Personally appeared before me the affiant Wayne C Kirby, III who

being duly sworn deposes and says that defendant Franklin Radell Smoak, Jr did within this county and state on or about 8/22/2023 violate the criminal laws of the

State of South Carolina (or ordinance of [X] County/ [] Municipality of Jasper) in the following particulars:

DESCRIPTION OF OFFENSE: Assault / Attempted Murder

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:

That on or about August 22, 2023, while in Jasper County SC, at a creek that passes under a railroad approximately 0.5 miles from the intersection of McPhersonville Road and the railroad tracks, the above named defendant, Franklin Smoak Jr., did commit the offense of violation section 16-3-29, of the South Carolina State Code of Laws, 1976 as amended. Attempted Murder, in that he did willfully, unlawfully, feloniously, and with malice aforethought, attempt to kill the victim, [Redacted]. According to the victim and a witness to be later named, Franklin Smoak Jr did shoot the victim, striking [Redacted] several times in the upper part of [Redacted] body. The above information was revealed through the investigation by South Carolina Law Enforcement Division Special Agents, Investigator German, along with witnesses' statements, is witness to prove the same against the form of the statute in such case made and provided against the peace and dignity of the State.

Signature of Affiant

STATE OF SOUTH CAROLINA)

[X] County/ [] Municipality of)

Jasper)

Affiant's Address Sled Columbia, SC 29210- Affiant's Telephone (803)737-9000

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 8/22/2023 defendant Franklin Radell Smoak, Jr

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

[X] County/ [] Municipality of Jasper) as set forth below:

DESCRIPTION OF OFFENSE: Assault / Attempted Murder

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 8/25/2023

[Signature] (L.S.) Judge's Address Ridgeland, SC 29936-

Rhonda Yvonne Edwards (Magistrate) Judge's Telephone (843)726-5800

Judge Code: 7463 Issuing Court: [X] Magistrate [] Municipal [] Circuit

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ARREST WARRANT

2023A2710200376

STATE OF SOUTH CAROLINA

County/ Municipality of

Jasper

THE STATE

against

Franklin Radell Smoak, Jr

Address: [Redacted] Varnville, SC 29944-4632

Phone: [Redacted] SSN: [Redacted]
Sex: M Race: B Height: 5 9 Weight: 180

DL State: SC DL #: [Redacted]
DOB: [Redacted] 1999 Agency ORI #: [Redacted]

Prosecuting Agency: Sled Alcohol Enforcement/Vice Services
Prosecuting Officer: Wayne C Kirby, III - S00631

Offense: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Offense Code: 0549
Code/Ordinance Sec: 16-23-0490

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of [Redacted]. 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 Franklin Radell Smoak Jr on September 11, 2023

[Signature]
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
General Sessions
265 Russell Street
Po Box 248
Ridgeland, SC 299360248

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State of South Carolina (or ordinance of County/ Municipality of Jasper) in the following particulars:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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:

That on or about August 22, 2023, while in Jasper County SC, at a creek under a railroad approximately 0.5 miles from the intersection of McPhersonville Road and the railroad tracks, the defendant, Franklin Smoak Jr, did commit the offense of violation section 16-23-490, of the South Carolina State Code of Laws, 1976 as amended, Possession of a Firearm During the commission of a Violent Crime possess a firearm while attempting to murder a victim. Franklin Smoak Jr did willfully, unlawfully, feloniously, and with malice aforethought, attempt to kill the victim, [Redacted]. According to the victim and a witness, Franklin Smoak Jr did shoot the above-mentioned victim with a handgun, striking [Redacted] several times in the upper part of [Redacted] body. The above information was revealed through the investigation by SLED Special Agents, Investigator German, along with witnesses' statements, is witness to prove the same against the form of the statute in such case made and provided against the peace and dignity of the Sta

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Sworn to and subscribed before me on 8/25/2023

[Signature] (L.S.)
Signature of Issuing Judge

Rhonda Yvonne Edwards (Magistrate)
Judge Code: 7463

Judge's Address Ridgeland, SC 29936-
Judge's Telephone (843)726-5800

Issuing Court: Magistrate Municipal Circuit

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