

RECEIVED

DEC 05 2022

SC Court of Appeals

11/27/22

My Son once asked me when was I coming home. At the time I truthfully didn't have a answer. My name is Ebony A. Pepper inmate # 389279. I am currently in prison for involuntary manslaughter. I am 30 years old. Serving 20 years. My crime happened October 7<sup>th</sup> 2019, I was sentenced October 13<sup>th</sup> 2022. I signed a plea for a cap of 20 years. I was told that more than likely I would receive 15 years, no more than 17. I sat in the county detention center the entire 3 years prior to the October 13<sup>th</sup> court date with a 150,000 \$ bond. A lot of people asked me why I didn't bond out and run. Honestly to answer that question I told them that I would never run and hide from a mistake I never ment to make. In fact I even turned myself in immediately after the minutes that changed my life forever. In the midst of defending and protecting my own life, I accidently took the life of my bestfriend, Erin S. Henry. Im asking for this appeal because I never got the chance to explain why or how the situation happened during court. Me and Erin had been in a open relationship for 8 years. Both of us was seeing multiple people. At the beginning I was staying in my own apartment. Eventually I moved into Erin's apartment once my lease was up to save money to move into a bigger place for me and my son, who is now 10 years old but was 7 at the time. Erin and I continued our open relationship. Once I moved into her apartment I begin to notice a change in Erin. At that moment she believed she was entitled to be in a exclusived relationship instead of the open relationship that we agreed on. The day before the accident, which was Sunday October 6<sup>th</sup> 2019, Me and Erin had been ~~my~~ arguing about females I was dealing with. This arguement led Erin to hit me in my face while I was driving. I did not retaliate. Instead I stayed out all night with another

female. I made it home around 3am in the morning to find Erin sitting up in the bed with her back against the headboard waiting for me in the dark. She asked me "So is this what we still going to do?" I told her not to start. I proceeded to undress and went to get in the shower. Once I got out the shower she walked into the bathroom yelling, telling me that I wasn't going to continue to see other people. She told me it was time for us to be in a real relationship. I let her know that I wasn't in the mood to talk about any of that. We got in the bed. At that time my phone started ringing. It was the female I was with, she asked me had I made it home. I told her yes, goodnight and that I would talk to her the next day. Minutes after hanging up the phone, I received a text message (Excuse the language and what I'm bout to say but if I'm going to be honest then I want you to know exactly what was said) Erin then stated "You been with that bitch all day and now you choosing to text that bitch while you in my bed?" Fearing a argument I put the phone down, turned my back towards her and went to sleep. The next morning when I woke up which was October 7<sup>th</sup> 2022 I found Erin already gone to work. (Growing tired of the situation that was no longer working for us, I made a plan. I was packing, leaving her and her house for good. I had saved enough money. I was set to move into my new place in December. It was still October but I told myself that I could stay in a hotel until my apartment was ready. I was planning on just leaving and not informing her but me and Erin had alot of history. We had really became bestfriends over the years, so I went against my better judgment and text her to let her know about my decision. Around about 20-30 minutes after I sent the text to let her know that I was leaving I went outside to smoke a Black + Mild. While smoking I noticed Erin's car flying into the parking

let of our apartment complex. As soon as she stepped out the car she started in on me. She told me that she did not hold me down all these years for me to just up and leave her. I responded by letting her know that I was tired of all the back and forth. I put out the Black & Mild and attempted to walk back in the apartment. She was right behind me. Once I stepped in the apartment she hit me in the back of my head. I stumbled forward, but never turned around. I went straight to the room to grab my phone and car keys. When I grabbed my keys Erin snatched my keys from me and told me I wasn't going anywhere. I asked over and over again to give my keys back so I could just leave. Erin refused. At that point I decided to leave everything and try to come back later to get my clothes. Trying to avoid a fight and argument I pleaded with Erin to give me my keys. She wouldn't. So I made up my mind to leave without my car and just walk to where ever I need to go and call a Uber once I was away from the apartment. I tried to walk out the front door. That's when Erin blocked my way and swung on me hitting me on the right side of my face and then rushed me. Not willing to sit there and be hit, I swung back. Creating a full fight. Some kind of way Erin broke free, running to the room yelling that "she had something for me". In the bedroom on the night stand in plain site is where we kept a gun that we both shared for our protection. Automatically knowing exactly what she was talking about, I rushed in the room behind her. We made it to the room right behind each other. Bumping into each other I was able to reach for the gun with her. Struggling over the gun we ended up falling to the floor. At this point the gun went off. Both of us immediately paused, stuck in time because it wasn't clear to me which one of us if any was shot. Moments later Erin jumped up and said "Omg you shot me" and ran out the apartment. She fell beside my car. I followed behind her, when she fell I knelt beside her asking her

was fine ok. There was not a gunshot visible, neither was there blood coming from anywhere. She became unresponsive. As I was checking for a wound and calling her name repeatedly our neighbor came outside and was everything ok. I was crying hysterically telling him No. I told my neighbor to call the police. He did so. To me it felt like the police would not come in time so I asked the neighbor to help me get her in the car so I could drive her to the hospital myself. He did so. Once we got her in the car, I jumped in the driver seat of my car and attempted to crank the engine. For some reason my car would not start at all. After several tries I got out of the car. Still crying I asked my neighbor where were the police and was he sure he had called. He informed me to calm down and that they was on the way. Once the police got there that's when we learned that she had passed due to her injuries (a single gunshot wound to her abdomen) I never got the chance to grieve properly for Erin. I know Erin's family lost a loved one. I also lost a best friend. I told the police all of this but I never got to share the details in court. I feel like if I did then maybe it would have made a difference in the outcome. I'm not asking to walk away free because I do hold responsibility for Erin losing her life. I want the family and the court to know that I'm not a coldblooded killer. It wasn't my intentions for Erin to lose her life that day. It could have easily been me. Please grant me another day in court to let her family and my family know the truth. Thank you for your time and patience.

- Elong A Poy

389279

Ebony Pepper 384297  
Camille-Graham R&E CTR Bre 2126 T  
4450 Broad River Rd  
Columbia SC 29210

COLUMBIA SC 290

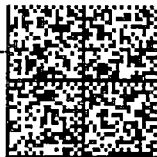
1 DEC 2022 PM 4 L

**RECEIVED**

DEC 05 2022

**SC Court of Appeals**

South Carolina Court of Appeals  
P.O. Box 11629  
Columbia SC 29211



US POSTAGE™ PITNEY BOWES



ZIP 29210 \$ 000.57<sup>0</sup>  
02 4W  
0000378435 DEC. 01. 2022

**SCDC**

DEC 17 2022

**MAIL ROOM**

29211-162929

