

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
Steven H. John, Circuit Court Judge

RECEIVED

THE STATE,

RESPONDENT JUN 19 2013

V.

S.C. Supreme Court

JIMMY LEE SESSIONS,

APPELLANT,

THE STATE,

RESPONDENT,

V.

CHRISTOPHER M. STEPHENS,

APPELLANT

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1 Jimmy Lee telling him, I killed her, I killed her, had to put
2 her down. Maybe Jimmy Lee is mitigating things a little bit,
3 doesn't want to think about being a brutal executioner of
4 women, but no doubt about it, you ain't bragging about killing
5 women unless you did it. And he said, as he got up to leave
6 after killing Jamilla he heard a noise from the bathroom --
7 and I don't know what they were talking about being drug down
8 a hall, because the testimony was that he went into the
9 bedroom, caught Monica Wall, and drug her into the bathroom.
10 Now, folks, you saw the diagram. The door is here, the
11 bathroom is here. You saw the abrasion. She is drug, and
12 that's where he puts her down, and executes her.

13 And James Pearl calls his cousin, Phonetia, and she
14 comes to pick him up, and Phonetia was trying to alibi Jimmy
15 Lee Sessions, so she lied about that, voluntarily said she
16 picked up James Pearl. She remembers that.

17 And finally, folks, you've got Craig Burris, Craig
18 Burris, "Snaggle" "Snagger", has a similar name so he
19 confronts Jimmy Lee Sessions and he tells him, Jimmy Lee
20 Sessions says, it just happened so fast, I didn't want to do
21 it, same story he told James Pearl. He's trying to mitigate
22 things, I didn't want to do it. He went prepared to do it,
23 carried that forty caliber handgun in, carried those gloves
24 in, very careful not to leave any forensic evidence. He's got
25 long sleeves, hoodie, gloves. He was ready to do it and he

1 did it.

2 At the beginning of the trial I told you were going to
3 be introduced to a world with which you were not familiar, and
4 I think every so aptly that was stated, because you have been
5 introduced this week. You saw the drug users, drug dealer,
6 drug thief, you heard about prostitutes, cash for motel rooms.
7 Folks, this is not your world, this is not your world. In
8 your world you keep up with the time. You knew you had to be
9 here at 9:30 this morning, you know you had a doctor's
10 appointment at 2 o'clock, you know you had to be at work at 8
11 o'clock probably tomorrow because you've been out all week.
12 Folks, that's not in the world. The citizens that live in
13 this world, they keep up with events. It's night. It's day.
14 It's the day mama got paid and I'm getting a piece of the
15 check. It's the day that I last saw my cousin alive. It's
16 the day I'm sitting in a car planning a robbery, when they
17 called out my girl's name and I had to get out, and then she
18 got killed the next day, the day of graduation and my little
19 cousin was graduating, and I got a call about Jamilla being
20 executed. Folks, that's how these witnesses keep up with time.

21 And yes, they are right, I am going to tell you, the
22 State did not choose these witnesses. The two Defendants
23 chose these witnesses. They chose to live in that world.
24 They chose who to deal drugs with. They chose who to steal
25 drugs with. They chose who to plan in front of. They chose

1 who to go pick people up in front of. They chose their father
2 confessors, both of them. You have the brains and you have
3 the braun. Now one of them, yes, he ran his mouth a little
4 bit more. Chris Stephens, no, he didn't talk about his part
5 in it. He's the brains. Jimmy Lee Sessions had to unburden a
6 little bit, had to tell people, and that's what he did.

7 Folks, as I told you, my job is to give you the
8 competent, admissible evidence that will help you lay out a
9 straight path. June 7th, they planned the robbery. June 7th,
10 Chris Stephens comes over to Jamilla's house dressed in all
11 black. June 8, Matthew Campbell sees Jimmy Lee Sessions in
12 all black, with a gun, talking about a rip. Later on he goes
13 and picks up Phonetia, his door girl, his key. Twelve
14 midnight, bamb. Eight o'clock the next morning, one person
15 knows about it, Phonetia, who left with Jimmy Lee before.
16 Six-thirty they find the bodies. Later on James Pearl gets a
17 call. Sometime before midnight Jimmy Lee is letting loose, I
18 killed them.

19 Folks, the Defense knows that that is a straight path
20 that leads to the guilt of their Defendants, and so it's their
21 jobs ---

22 **MR. FREDERICK:** Objection, Your Honor.

23 **MR. RICHARDSON:** Your Honor ---

24 **MR. FREDERICK:** I mean, I strongly disagree with his --

25 -

1 THE COURT: All right.

2 MR. FREDERICK: ---Characterization of what we ---

3 THE COURT: All right. All right. Very good. Very
4 good. You know there's no speaking objections.

5 Ladies and gentlemen, go to your jury room.

6 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
7 JURY.)

8 THE COURT: All right, sir. Your objection, Mr.
9 Frederick.

10 MR. FREDERICK: Judge, unless my hearing is failing me,
11 I just heard the Prosecutor say that the Defense knows that
12 their client is guilty.

13 MR. RICHARDSON: No sir, Your Honor. I said the path
14 that I've laid out leads to their clients' guilt and they know
15 it.

16 MR. FREDERICK: Thank you.

17 THE COURT: That's what I heard, Mr. Frederick. If you
18 want I'm sure we can have the Court Reporter play it back, but
19 exactly what the Solicitor said is what I heard.

20 MR. FREDERICK: Judge, if he said, this is the path ---

21 THE COURT: I tell you what, we'll solve it. We'll
22 solve it.

23 MR. FREDERICK: ---That was laid out that they are
24 guilty.

25 THE COURT: Madame Court Reporter, can you go back to

1 the last two sentences of the Solicitor, please

2 (AT THIS TIME THE COURT REPORTER PLAYED BACK A PORTION
3 OF THE STATE'S SUMMATION.)

4 THE COURT: Are you ready?

5 Now you can talk. You have to wait till the Court
6 Reporter is ready. Yes sir.

7 MR. FREDERICK: Judge, the Prosecutor just said, the
8 Defense knows that this path, or whatever that said, leads to
9 their Defendants' guilt. The Prosecutor cannot say to the
10 jury, the Defense knows that their clients are guilty, which
11 is what that means, what he said, Judge. No more than in my
12 closing argument I could say, ladies and gentlemen of the
13 jury, the prosecutor knows they got the wrong people, the
14 prosecutor knows that this path leads to these defendants'
15 innocence. I cannot comment on what he believes or doesn't
16 believe, and he certainly can't tell that jury that I believe
17 my client is guilty, because I'll tell you, Judge, I believe
18 he's innocent, and I have gone this entire trial not being
19 able to tell that jury that. That's my objection.

20 THE COURT: All right, sir.

21 Solicitor, your response.

22 MR. RICHARDSON: Your Honor, I believe my statement is
23 admissible. It's a summary of what I believe the case shows.
24 I believe it's proper. I believe the objection was to slow me
25 down, but I believe it's proper, Your Honor.

JURY IN
STATE'S SUMMATION CONTINUED

1 MR. FREDERICK: And I would just ask the Court to
2 strike. We are not asking for a mistrial. We ask the Court
3 to strike that statement.

4 THE COURT: Very good. Ask the jury to come back in.

5 MR. GARDNER: And for the record, Judge, I guess the
6 Defense would join with that.

7 THE COURT: Yes sir.

8 MR. RICHARDSON: Your Honor, is there ---

9 THE COURT: What I'm going to do is tell the jury
10 that -- to disregard any comment by the State as to what the
11 Defendants know or do not know.

12 Thank you.

13 And you may continue.

14 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE
15 JURY.)

16 THE COURT: Ladies and gentlemen of the jury, any
17 comment that may have been made as to what the Defense knows,
18 or the Defense attorneys know, is not proper, and I'm ordering
19 you to strike that.

20 Thank you very much.

21 You may proceed, Solicitor.

22 MR. RICHARDSON: Folks, as I said, the State has laid
23 out a straight path, and it leads to one place, the guilt of
24 those two Defendants sitting over there.

25 Now, the Defense has tried to take you off the path.

JURY IN
STATE'S SUMMATION CONTINUED

998

1 They've tried to take you down little dirt trails that dead
2 end, go no place. They asked about what, twenty, twenty-three
3 people that were, I know, that so and so said that they heard.
4 They asked you about that. They want to put up D.N.A.
5 evidence because the expert they called says doesn't really
6 mean anything. The fact that these Defendants were careful
7 and didn't leave any evidence means they wouldn't leave
8 D.N.A.. The fact that I can't put Chris Stephens in the
9 house, he doesn't have to be in the house to be guilty of
10 accessory before the fact. So forensics don't tell us
11 anything about him, but they are trying to take you down these
12 little dirt roads. And they try and talk about jailhouse
13 snitches, and they try and talk about what people have to
14 gain, and what bias is. Folks, it leads you nowhere. They do
15 that for one reason and one reason only. It's look over here,
16 look over here, don't pay attention to the man behind the
17 curtain, I am the great oz, don't pay attention to him, don't
18 pay attention to his path.

19 They are trying to pick on James Pearl. He held onto
20 the story for six months. You doggone right he did. What's
21 the last thing that Jimmy Lee Sessions said to him, you ain't
22 going to tell nobody, are you. He's facing two stone-blooded
23 killers. Yeah, he's scared, scared for himself, scared for
24 his family. They want to say that he's giving -- giving this
25 information -- just giving up any information he can to get

JURY IN
STATE'S SUMMATION CONTINUED

999

1 out of these charges. The first thing they asked him about,
2 he's testified to, they asked him about a totally separate
3 shooting. What you got on that K & W shooting. Man, I don't
4 know, I don't know anything about the K & W shooting, I can't
5 burn somebody that I don't have any information on, but I know
6 about the Hightower homicide. He knows because Jimmy Lee
7 Sessions confessed to it.

8 Matthew Campbell, didn't want to get involved until it
9 does help him, so now he wants to get involved to tell what he
10 knows.

11 Christy Pearl, folks, she told us she knows that -- the
12 Defense quotes some times, and I believe they were actually
13 quoting times to Christy, and Christy says, I don't recall
14 that. She admitted from the stand, I don't keep up with time.
15 She's living in that world.

16 Rodney Turner, they can't pick at him, so you didn't
17 hear anything about a shallow ---

18 They want to play on all these forensics, on the shoe
19 imprint, and I think Mr. Frederick is trying to tell you, it's
20 right where a killer would be, in that fecal matter. One,
21 their testimony was from a paid expert, a Defense paid expert.
22 Two, I believe there's testimony E.M.S. came, checked the
23 pulse. I believe Officer Arroyo said he came, checked the
24 pulse. And when you are trying to save somebody's life you
25 are not worried about stepping in a little fecal matter.

JURY IN
STATE'S SUMMATION CONTINUED

1000

1 The fight was on about these shoes. Told you these
2 shoes came off Jimmy Lee Sessions. We told you these shoes --
3 we didn't say they match a hundred percent. We said they are
4 consistent with a print left where no print should be. Nobody
5 goes in the back of the house, except the killer. Now if that
6 other print was left by E.M.T., or by Officer Arroyo they had
7 a reason to be in the back of the house. They were trying to
8 investigate what these shoes did. These shoes leave a print
9 where none should be.

10 Now the Defense would say, maybe they were traded out at
11 the jail, there's a grand shoe sale out at the jail, people
12 trade shoes all the time. Folks, the Defense would have you --
13 believe Mr. Sessions has all of these people pointing fingers
14 at him, all of these people pointing fingers at him, but he
15 has to be brought back to South Carolina, to J. Reuben Long
16 Detention Center, that he's there for six months before they
17 take his shoes, and sometime during that he trades the real
18 killer some hohos for those killer's shoes. Folks, that's
19 ridiculous. He's worn the shoes for six months. Don't reward
20 him because he was not smart enough to get rid of those shoes.

21 Folks, you saw everything that we did forensically. We
22 tried to take tire tracks, shoeprints, fingerprints. There
23 was D.N.A. in the house, there were fingerprints in the house,
24 there were shoes -- shoe -- tire prints outside. Folks, it's
25 been told. They dealt drugs in those -- house, people were in

1 and out, had to call Jamilla, but they were in and out.
2 Yes, there's other D.N.A. in there. Yes, whenever you walked
3 across the floor barefoot you are going to pick up other
4 people's D.N.A., but the police did their job.

5 The Defense has tried to say there's a rush to judgment.
6 We didn't make the arrest for almost eleven months. We sorted
7 through all of these other suspects. If we were going to jump
8 to conclusions why did we pick these guys? Because all the
9 evidence points right to them. All the evidence tells you
10 that on June 8, 2006, Jimmy Lee Sessions, after having planned
11 carefully with Chris Stephens, wearing those gloves and the
12 hoodie, goes and he get his key for Jamilla. He gets in the
13 house, and he takes Jamilla to the back bedroom where the big
14 stuff is. Anybody could come back and get the cookie jars in
15 a minute. But he takes Jamilla back to the bedroom. Doesn't
16 know Monica is in the bathroom yet. And he takes her and he
17 puts her down on the floor. He grabs these pillows, grabs it,
18 slams it down on her head, puts the gun to the back of her
19 head because as Mike Prodan said, it's a lot easier to shoot
20 that pillow than to shoot Jamilla Hightower. So he takes it,
21 bamb, put her down, and he's ready to get the robbing, but uh
22 oh, got to take care of one more, so he goes and he grabs
23 Monica Wall -- you heard testimony about the night stand being
24 knocked over right where the fecal trail starts -- and he
25 takes her back to the bathroom, puts her down, so forcefully

STATE'S SUMMATION CONTINUED

1002

1 she's got ligature marks right here. She's got petechiae in
2 her eye where she's choked momentarily. Puts her down. Bamb.
3 Take all the time you want to rob now. He's killed the person
4 whose property it is, killed your only witness, everything
5 going according to plan, but for that shoe print.

6 Folks, these two girls were shot dead, with no more
7 humanity, and with all the depravity of someone shooting just
8 dogs in the street. These Defendants carefully planned and
9 orchestrated this crime, all to feed their greed, to feed
10 their lust for drugs and money, and today they must learn the
11 true cost of that. It's cost these two girls their lives.
12 No long with us. It cost Barbara Hightower, Betty Wall, their
13 baby girls, and today it will cost these two Defendants guilty
14 verdicts on all charges.

15 **THE COURT:** All right, ladies and gentlemen, I want you
16 to go to the jury room for about five minutes or so. I'm
17 going to call you back in and we will finish with this case.

18 All right. Thank you very much.

19 **(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE**
20 **JURY.)**

21 **THE COURT:** All right. We'll be at ease for about five
22 minutes.

23 **(THE FOLLOWING TAKES PLACE AFTER A BREAK, AND OUTSIDE**
24 **THE PRESENCE OF THE JURY.)**

25 **THE COURT:** All right. Ask the jury to come in,

1 please.

2 I assume y'all have a copy of the verdict forms, and
3 y'all have looked at them?

4 MR. FREDERICK: We've seen them, Judge.

5 MS. ELDER: Yes, Your Honor, They are suitable to the
6 State.

7 MR. FREDERICK: No objection, Judge.

8 THE COURT: Mr. Gardner.

9 MR. GARDNER: Yes sir. No objection, Your Honor.

10 THE COURT: Very good.

11 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE
12 JURY.)

13 THE COURT: All right, ladies and gentlemen, it's now
14 my responsibility to give you the law that you are going to
15 apply to the facts as you so find them to be in this
16 particular case.

17 At the very beginning I told you that I would not, in
18 any way, indicate to you what I think the facts of this case
19 are, and I believe I've done that, and in that same vain
20 that -- and I'm telling you that you are the judges of the
21 facts, and the same vain that you are judges of the facts, if
22 you came into this courtroom with any preconceived ideas of
23 what the law is, what it ought to be, what it should be, what
24 you hoped it would be, you are going to disregard that. You
25 will take the law, as I now give it to you, and apply it to

CHARGE BY THE COURT

1004

1 the facts as you so find them to be in this particular case.

2 Now I told you at the very beginning that one of your
3 jobs in this particular case was to judge the credibility,
4 that is, the believability of witnesses that have been
5 presented before you in this particular trial. Now, in doing
6 so I tell you that you can believe one witness against
7 several, several against one, you can believe a portion of
8 what a witness says and disregard the remaining portion of it.
9 If you've got a good and sound reason for doing so you could
10 disregard, in it's entirety, the testimony of a particular
11 witness.

12 You look at whether or not the witness has exhibited to
13 you any kind of interest, bias, prejudice, motive that they
14 might have in giving you the particular testimony. You could
15 consider their demeanor, that is, how did they appear on the
16 witness stand when they gave you their testimony. Obviously
17 you consider the opportunity for knowledge. How did they come
18 about that information that they gave you from the witness
19 stand.

20 It's your job, ladies and gentlemen, to find the truth.
21 It doesn't matter from which witness or witnesses that comes
22 from. That is your job in this case, to find that evidence
23 which convinces you of it's truth, and how do you do that?
24 You are going to use your good common sense, your good
25 judgment, and apply it to the facts in this particular case,

1 and find those facts which convince you of their truth. If
2 you think about it it's something you do every single day of
3 your life. When somebody tells you something you are
4 automatically thinking and judging whether or not you believe
5 it, and you are using your good common sense and your judgment
6 in doing so, and that's all we are asking you to do now, to
7 find that evidence which convinces you of it's truth.

8 You don't have any friends to reward, you don't have any
9 enemies to punish. Your verdict can't be the result of any
10 kind of bias, prejudice, sympathy. You don't have any friends
11 to reward or enemies to punish, as I indicated. Your job is a
12 simple analysis of the evidence, find that evidence which
13 convinces you it's true, and then, as I will talk about in a
14 minute, you apply that evidence that you find to be true
15 against the burden that the State of South Carolina has, to
16 prove the defendant guilty beyond a reasonable doubt of the
17 particular crime charged.

18 There are two types of evidence that are presented in
19 virtually every single case that's tried, and this case is no
20 exception. They are called direct and circumstantial
21 evidence. Direct evidence is the testimony of a person who
22 asserts or claims to have actual knowledge of a fact.
23 Circumstantial evidence is proof of a chain of facts
24 indicating the existence of a fact. The Law doesn't make any
25 distinction between the two, the Law doesn't require a greater

CHARGE BY THE COURT

1006

1 degree of proof of one over the other. You look at all the
2 evidence and find that evidence which convinces you of it's
3 truth.

4 I told you at the very beginning that the Defendants in
5 this case have pled not guilty to the indictments, or the
6 charges against them, and that plea of not guilty puts the
7 burden of proof upon the State of South Carolina to prove the
8 Defendants guilty beyond a reasonable doubt of the particular
9 crimes charged.

10 A defendant is never required to prove themselves
11 innocent. It's an important rule of law that a defendant in a
12 criminal trial, no matter what the seriousness of the charge
13 may be, is always presumed to be innocent of the crime for
14 which the indictment has been drawn and the charge levied
15 against him. This presumption of innocence didn't end at the
16 start of the trial. It hasn't ended now. It only ends when
17 you, the jury, collectively, are convinced from the evidence
18 before you of the guilt of that Defendant of the crime
19 charged, beyond a reasonable doubt. Now this presumption of
20 innocence is likened to a robe of righteousness. It's placed
21 upon the shoulders of the defendant, and it stays upon the
22 shoulders of the defendant until the State strips that robe of
23 righteousness from the shoulders of the defendant by evidence
24 which convinces you of the guilt of that particular defendant
25 beyond a reasonable doubt.

1 This presumption of innocence isn't some legal theory.
2 It isn't just some legal phrase. It's a substantial right to
3 which every defendant is entitled unless you, the jury, are
4 satisfied from evidence of the defendant's guilt beyond a
5 reasonable doubt.

6 So what's reasonable doubt? Reasonable doubt is the
7 kind of doubt that would cause an ordinary reasonable person
8 to hesitate to act. Proof beyond a reasonable doubt is proof
9 that leaves you firmly convinced of the defendant's guilt.
10 Now, there's very few things that we can know with absolute
11 certainty, and the law doesn't require the State of South
12 Carolina to give you that kind of proof. What is required is,
13 if based upon your consideration of the evidence you are
14 firmly convinced that the defendant is guilty of the crime
15 charged, you must find that defendant guilty. On the other
16 hand, if you are not firmly convinced that the defendant is
17 guilty of the crime charged you must give the defendant the
18 benefit of the doubt and find him not guilty.

19 Now I allowed all of you to take notes during the trial
20 of this case. You need to remember, obviously some people are
21 better note takers than others. Just because somebody wrote
22 something down does not give it any greater weight than the
23 recollection of another juror. Recollections of individual
24 jurors should be considered just as reliable as somebody's
25 note that they took.

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1 During the trial, the proceedings, I believe I directed
2 you to disregard some statements. You disregard that. You do
3 not use those statements as evidence, or in any way in
4 arriving your verdict in this particular case.

5 The Rules of Evidence do not ordinarily allow witnesses
6 to give their opinion. Now in this case I qualified several
7 witnesses to give their opinions. They are sometimes called
8 expert witnesses, but -- and that's basically someone who, by
9 reason of their education, experience, has become
10 knowledgeable in some kind of art or science or profession,
11 and they can give an opinion when asked. This doesn't give
12 them any special status. You consider that evidence and that
13 opinion just like all the other evidence in the case. You
14 weigh all the evidence in the case, and you find the evidence
15 which convinces you of it's truth.

16 The testimony of a witness may be discredited or
17 impeached by showing that that person previously made a
18 statement that is inconsistent with their present testimony.
19 Earlier contradictory statements are admissible only to
20 impeach the credibility of that witness, and not to establish
21 the truth of the statements.

22 The testimony of a witness may be discredited or
23 impeached by showing that witness has been convicted of a
24 crime for which they could have been imprisoned for more than
25 one year, or a crime that involves dishonesty. As to this

1 evidence it is offered only on the issue of credibility and no
2 other purpose.

3 In this particular case the Defendants did not testify.
4 I instruct you, and I tell you, the fact the Defendants did
5 not testify in this case is not a factor in this case. It may
6 not be considered by you in any way. You may not talk about
7 it in your jury room. It does not affect this case in any
8 way. Every person charged with a crime has the Constitutional
9 Right to remain silent. The assertion of this right cannot be
10 considered against them, or by you in your deliberation. You
11 are to draw no conclusion whatsoever from the fact the
12 Defendants in this case did not testify. You remember, as I
13 told you, the Defendants don't have anything to prove to you,
14 to show to you. The State of South Carolina has the burden of
15 proof to prove the Defendants guilty of the crimes charged,
16 beyond a reasonable doubt.

17 Now, there are obviously two Defendants in this case,
18 and I told you at the very beginning, it's like two trials.
19 Jimmy Lee Sessions is charged with the following offenses, the
20 murder of Monica Wall, the murder of Jamilla Hightower, the
21 armed robbery of Jamilla Hightower, and burglary in the first
22 degree of these individuals. Christopher Stephens is charged
23 with the following offenses, accessory before the fact of the
24 murder of Monica Wall, accessory before the fact of the murder
25 of Jamilla Hightower, accessory before the fact to armed

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1 robbery of Jamilla Hightower. Each case, of each Defendant,
2 is separate. The evidence and law concerning that Defendant
3 should be considered separately and individually. Your
4 verdict does not have to be the same for both Defendants. You
5 may find one Defendant guilty of a particular offense and find
6 him not guilty of another offense. The fact that you find
7 somebody -- one Defendant guilty of a particular offense, or
8 not guilty, does not control your verdict as to the other
9 Defendant. You may convict one and acquit the other. You may
10 acquit both, or you may convict both. It will depend upon
11 your view of the evidence and testimony in this particular
12 case. You must take each Defendant and each case that they
13 have and consider the evidence as to that Defendant in that
14 case, and the instructions I've given to you, and then you
15 write a separate verdict for each Defendant on each charge.

16 Evidence offered by an accused as to the commission of a
17 crime by another person must be limited to facts that are
18 inconsistent with the accused's guilt, and to such facts which
19 raise an inference as to his innocence. There must be such
20 connection with the crime, such facts or circumstances which
21 tend to point out the other person as the guilty party.

22 Now, regarding the offense of murder -- and as we
23 indicated to you, those -- that is the charge as against Jimmy
24 Lee Sessions regarding the murder of Monica Wall, and the
25 murder of Jamilla Hightower. This Defendant, having been

1 charged with the crime of murder, the State must prove, beyond
2 a reasonable doubt, that the Defendant killed another person
3 with malice aforethought.

4 Malice is hatred, ill-will, hostility toward another
5 person. It's the intentional doing of a wrongful act without
6 just cause or excuse, with an intent to inflict an injury, or
7 under circumstances that the law will infer an evil intent.
8 Malice aforethought does not require that malice exist for any
9 particular time before the act is committed, but malice has to
10 exist in the mind of the Defendant just before, and at the
11 time the act is committed, therefore, there must be a
12 combination of that evil intent and the act. Malice
13 aforethought can either be expressed or inferred. Now that
14 doesn't mean different kinds of malice. It just is the manner
15 in which the malice can shown to be exist, or shown to exist.
16 It's either by direct or by inference. Expressed malice is
17 shown when a person speaks words which express hatred or ill-
18 will for another, or when a person has prepared beforehand to
19 do the act which was later accomplished.

20 Malice may be inferred from conduct showing a total
21 disregard for human life. Inferred malice may also arise when
22 the deed is done with a deadly weapon. A deadly weapon is any
23 article, instrument or substance which is likely to cause
24 death or great bodily harm. Whether an instrument has been
25 used as a deadly weapon depends on the facts and circumstances

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1 of each particular case.

2 Motive is not an element of the offense of murder, and
3 the State of South Carolina does not need to prove motive.

4 If one intentionally kills another during the commission
5 of a felony, the inference of malice may arise. If facts are
6 proved beyond a reasonable doubt sufficient to raise an
7 inference of malice to your satisfaction, this inference would
8 simply be an evidentiary fact to be taken into consideration
9 by you, along with all the other evidence in the case, and you
10 give it the weight you decide it should receive.

11 Jimmy Lee Sessions is also charged with the crime of
12 armed robbery. The Defendant, having been charged with the
13 crime of armed robbery, the State must prove, beyond a
14 reasonable doubt, that the Defendant took personal property
15 from the person or presence of another person, and that can be
16 legal or illegal property of that particular person. Property
17 is in the presence of a person if it is within their reach,
18 inspection, observation or control, so that the person could,
19 if not overcome by violence, or prevented by fear, keep
20 possession of that particular property. The State has to also
21 prove, beyond a reasonable doubt, that the Defendant carried
22 away the property, intending to permanently deprive the owner
23 of that property, and to keep the property for the Defendant's
24 own use. The slightest removal of the property, or complete
25 possession of the property, even for an instant by the

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1 Defendant is sufficient to show a taking a carrying away of
2 the property. The taking and carrying away of the property
3 must have been done with violence, or putting the owner of the
4 property in fear of violence, and finally, the State has to
5 prove, beyond a reasonable doubt, that the Defendant was armed
6 with a deadly weapon during the robbery, again, that deadly
7 weapon being any kind of article, instrument or substance
8 which is likely to cause death or great bodily harm.

9 The Defendant, Jimmy Lee Sessions, is also charged with
10 burglary in the first degree. The State has to prove, beyond
11 a reasonable doubt, that the Defendant entered a dwelling
12 without consent. A dwelling is any building, or a portion of
13 a building in which a person ordinarily sleeps. In order to
14 prove that the Defendant entered the dwelling the State does
15 not have to show that the Defendant's entire body entered the
16 dwelling. The smallest entry is sufficient. In addition, the
17 State does not have to prove that force was used to gain
18 entry. If a person enters a building using a deception,
19 artifice, trick or misrepresentation to get consent to enter
20 this is entry without consent. Next the State has to prove,
21 beyond a reasonable doubt, that the Defendant intended to
22 commit a crime therein, either a felony or a misdemeanor, at
23 the time of the entry. Intent may be shown by acts and
24 conduct of the Defendant, or other circumstances from which
25 you may naturally and reasonably infer intent. And finally,

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1 the State has to prove, beyond a reasonable doubt, that, when
2 entering, while in the dwelling, or when fleeing the Defendant
3 was armed with a deadly weapon or explosive, and again, the
4 deadly weapon, again, is any article, instrument, or substance
5 which is likely to cause death or great bodily harm.

6 Also, the State could prove that, if the Defendant
7 entered or remained in the dwelling in the night time. Night
8 time is the period between sunset and sunrise during which
9 there is not enough daylight to recognize a person's face,
10 except by artificial light or moonlight.

11 Now, the Defendant, Christopher Stephens, is charged
12 with accessory before the fact. And I told you there are
13 three charges of that, but they are all accessory before the
14 fact. The Defendant being charged with accessory before the
15 fact, in order to prove this crime the State has to prove,
16 beyond a reasonable doubt, that the Defendant either advised,
17 agreed, urged, counseled, hired or in some way aided or
18 abetted another person to commit a crime, and then that that
19 Defendant was not present when the offense was committed. Aid
20 means to help, to promote the course or accomplishment of, to
21 give support to, or to give assistance to. Abet means to
22 encourage, or appear to favor or support.

23 That, ladies and gentlemen, is the law that you are
24 going to apply to the facts as you so find them to be in this
25 particular case.

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1 Now, the Court has had prepared for you the verdict
2 forms in this case, and they have the caption of the case, and
3 I'm going to start with Jimmy Lee Sessions, because that's the
4 order in which we have done these things during the trial.
5 The verdict form, on the first page is, murder of Monica Wall.
6 On the charge of murder, we, the jury, by unanimous consent,
7 find the Defendant -- and there's two choices -- not guilty or
8 guilty. I had to put one before the other. Obviously don't
9 assign anything to that. Once you have reached a decision on
10 count one, the murder of Monica Wall regarding Jimmy Lee
11 Sessions, then you would go to count two, murder of Jamilla
12 Hightower. On the charge of murder we, the jury, by unanimous
13 consent, find the Defendant, again two choices, not guilty or
14 guilty. Once you have reached a unanimous decision on that
15 charge, count two, you go to count three, armed robbery of
16 Jamilla Hightower. On the charge of armed robbery we, the
17 jury, by unanimous consent, find the Defendant, again two
18 choices, not guilty or guilty. And once you have reached a
19 decision on count three of armed robbery regarding Jimmy Lee
20 Sessions then you proceed to count four, burglary in the first
21 degree. On the charge of burglary in the first degree we, the
22 jury, by unanimous consent, find the Defendant, again, not
23 guilty or guilty.

24 Once you have completed these forms on Mr. Jimmy Lee
25 Sessions you proceed to the verdict forms on Christopher

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1 Stephens. Regarding the verdict forms, has the caption of the
2 case, State of South Carolina versus Christopher Stephens,
3 count one, accessory before the fact of the felony of murder
4 of Jamilla Hightower. On the charge of accessory before the
5 fact of the felony of the murder of Jamilla Hightower we, the
6 jury, by unanimous consent, find the Defendant, again, two
7 choices, not guilty or guilty. Once you have reached a
8 decision on that count you go to the next count, accessory
9 before the fact of the felony of the murder of Monica Wall.
10 On the charge of accessory before the fact of the felony of
11 the murder of Monica Wall we, the jury, by unanimous consent,
12 find the Defendant, again two choices, not guilty or guilty.
13 Once you have reached a unanimous verdict on that particular
14 one you proceed to the third count, accessory before the fact
15 of the felony of armed robbery of Jamilla Hightower. On the
16 charge of accessory before the fact of the felony of armed
17 robbery of Jamilla Hightower we, the jury, by unanimous
18 consent, find the Defendant, and again two choices, not guilty
19 or guilty.

20 Mr. Foreman, when your jury has well and truly
21 deliberated, and reached unanimous verdicts in those matters
22 you will take the appropriate verdict form, you will check the
23 appropriate block as to whatever that may be, and then you
24 will sign your name and put today's date, indicating that
25 that, indeed, is the unanimous verdict of the jury on that

1 particular charge.

2 Now, I have said unanimous I don't know how many times.
3 It means exactly what you think it means. It means twelve
4 zero, doesn't mean eleven one, ten two, any combination
5 thereof. Whatever the verdict is, on each and every charge
6 the verdict must be unanimous, twelve zero. Everybody has to
7 agree that is their verdict on that particular charge, on that
8 particular Defendant.

9 Mr. Foreman, when you check that block you are telling
10 the Court every single member of the jury agrees that is their
11 verdict on that particular charge, on that particular
12 Defendant.

13 What I'm going to have you do, Mr. Foreman, is take the
14 twelve members of the regular jury to the jury room. Do not
15 begin your deliberations until the bailiff brings in to you
16 all of the exhibits and all of the verdict forms. When all of
17 the exhibits and the verdict forms are in your jury room then
18 you may begin your deliberations.

19 I'll have the two alternates stay with me in the
20 courtroom. The remaining twelve of you please proceed to the
21 jury room.

22 Thank you very much.

23 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
24 JURY OF TWELVE.) (TWO ALTERNATES ARE PRESENT IN THE COURTROOM.)

25 THE COURT: All right. Mr. Cebula and Mr. Hall, your

1 jobs as alternates is to step in the shoes if one of the
2 jurors cannot go forward with their duties and
3 responsibilities in this case. They have not yet arrived at a
4 unanimous verdict on all of these matters, therefore I cannot
5 release you because some -- something unfortunate may happen,
6 one of them may become ill and you may have to step in their
7 shoes still.

8 So, what I'm going to have to have you do is go to
9 another jury room where you will stay as long as that jury is
10 deliberating, and until they finish deliberating in this case
11 and reached a unanimous verdict in all these matters.

12 I promise we will not forget about you, but I cannot
13 release you.

14 Mr. Deputy, find another jury room for them, please sir.

15 **ALTERNATE:** Your Honor, if ---

16 **THE COURT:** What I'm going to have to have you do is
17 write that out. I can't have you say that in open court.
18 Thank you. I appreciate it. Just write it out, I'll be glad
19 to answer it. Thank you, sir.

20 **ALTERNATE:** Thank you.

21 **(THE FOLLOWING TAKES PLACE OUT OF THE PRESENCE OF ALL**
22 **JURORS.)**

23 **THE COURT:** All right. Any exceptions, deletions,
24 additions to the charge from the State?

25 **MS. ELDER:** No sir, Your Honor.

1 THE COURT: From the Defendant, Sessions?

2 MR. GARDNER: None from me, Your Honor.

3 THE COURT: From the Defendant, Stephens?

4 MR. FREDERICK: Just for the record we object to the
5 charge on third-party guilt.

6 THE COURT: Your objection was that it should not have
7 been charged at all; is that correct?

8 MR. FREDERICK: Yes sir, or if it is charged I think
9 the charge would be that the jury is free to consider it. The
10 charge as given I feel is a rule of admissibility, and the
11 fact is, once it's admissible the jury is free to consider it
12 in any way that they think is appropriate.

13 THE COURT: All right, sir. Thank you.

14 All right. Anything else, gentlemen?

15 MS. ELDER: No, Your Honor.

16 THE COURT: All right. We will -- and I'm sorry,
17 Solicitor.

18 Is there any -- what we will do is, we will be at ease
19 till the jury needs us. What I need for all of y'all to do is
20 please come forward, as far as the attorneys, meet with the
21 Court Reporter, make sure that all of your exhibits for your
22 particular Defendant are here and are ready to go into the
23 jury room. If there is any issue about that please let me
24 know.

25 I want to take a moment and tell both Solicitors, and to

JURY OUT/ON RECORD

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1 tell both Defense attorneys, I appreciate very much the hard
2 work that went into presenting both sides of this, both of you
3 on the State's side, both of you on the Defense side, did
4 excellent jobs on behalf of your clients in this particular
5 matter, and I commend all of you for your work and your job
6 that you did for your clients in this particular matter.

7 Thank you very much.

8 MS. ELDER: Thank you, Your Honor.

9 THE COURT: Be at ease till the jury needs us then.

10 (AFTER A REVIEW OF THE EXHIBITS BY COUNSEL FOR THE STATE
11 AND COUNSEL FOR BOTH DEFENDANTS THE EXHIBITS WERE PASSED INTO
12 THE JURY ROOM AND THE JURY WAS INSTRUCTED TO BEGIN
13 DELIBERATION AT 5:35 P.M.)

14 (THE JURY DELIBERATED AND AT 7:00 P.M. A NOTE FROM THE
15 JURY WAS MARKED COURT'S EXHIBIT NUMBER 1.)

16 (THE FOLLOWING TAKES PLACE AT 7:00 P.M. OUTSIDE THE
17 PRESENCE OF THE JURY.)

18 THE COURT: Thank you very much. You may be seated.
19 Thank y'all.

20 All right, ladies and gentlemen, I understand that the
21 jury has reached a verdict in this matter. Is the State ready
22 to receive it?

23 MR. RICHARDSON: The State is ready to proceed, Your
24 Honor.

25 THE COURT: Is the Defendant, Sessions, ready to

1 receive it?

2 MR. GARDNER: Yes sir.

3 THE COURT: The Defendant, Stephens.

4 MR. FREDERICK: Yes, Your Honor.

5 THE COURT: All right. Very good.

6 Before I call the jury in let me speak real briefly to
7 everyone sitting in the courtroom at the present time. I do
8 not know what verdict of this jury is going to be regarding
9 these particular matters. I will tell you that the verdict of
10 the jury, whatever it might be in all these matters, will be
11 received by everyone in this courtroom with respect and with
12 silence. There will be no outbursts of any kind. There will
13 be no reaction to the verdict of any kind. I am giving you a
14 direct order to that effect. What that means is, should you
15 violent that direct order you will be detained immediately by
16 a member of the Horry County Sheriff's Department, and I will
17 thereafter conduct a contempt of court hearing as to whether
18 or not that person should be held in contempt of court, which
19 I will tell you could subject you to one year in the
20 Department of Corrections. If you cannot follow these
21 directions please leave the courtroom now. If you feel, in
22 any way, you cannot follow these directions I'm giving you the
23 opportunity to leave. If you stay you are bound by this
24 order. I am asking you, do not put me in the position of
25 putting you in jail because you cannot respect the jury's

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1 verdict in silence.

2 If anyone wants to leave, leave now.

3 Thank you very much.

4 Ask the jury to come in.

5 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE
6 JURY AT 7:30 P.M.)

7 THE COURT: All right, Mr. Foreman, has your jury been
8 able to reach a verdict on the matters presented to it?

9 FOREMAN: All counts, yes sir.

10 THE COURT: Very good, sir. Could you hand the verdict
11 forms to the Clerk, please sir.

12 All right, Madam Clerk, you may publish the verdicts.

13 DEPUTY CLERK OF COURT: The State of South Carolina,
14 County of Horry, versus Jimmy Lee Sessions, indictment number
15 (07-GS-26-2962), murder of Monica Wall, on the charge of
16 murder, we, the jury, by unanimous consent, find the Defendant
17 guilty. Dated February 6, 2009.

18 State of South Carolina versus Jimmy Lee Sessions,
19 indictment number (07-GS-26-2963), murder of Jamilla
20 Hightower, on the charge of murder, we, the jury, by unanimous
21 consent, find the Defendant guilty. Dated February 6, 2009.

22 State of South Carolina versus Jimmy Lee Sessions,
23 indictment number (07-GS-26-2961), armed robbery of Jamilla
24 Hightower, on the charge of armed robbery, we, the jury, by
25 unanimous consent, find the Defendant guilty. Dated February

1 6, 2009.

2 State of South Carolina versus Jimmy Lee Sessions,
3 indictment number (08-GS-26-2698), burglary first degree, on
4 the charge of burglary first degree, we, the jury, by
5 unanimous consent, find the Defendant guilty. Dated February
6 6, 2009. Signed by Walter Hucks, III.

7 State of South Carolina versus Christopher Stephens,
8 indictment number (07-GS-26-2974), accessory before the fact
9 of the felony of murder of Jamilla Hightower, on the charge of
10 accessory before the fact of the felony of murder of Jamilla
11 Hightower, we, the jury, by unanimous consent, find the
12 Defendant guilty. Dated February 6, 2009.

13 State of South Carolina versus Christopher Stephens,
14 indictment number (07-GS-26-2975), accessory before the fact
15 of the felony of murder of Monica Wall, on the charge of
16 accessory before the fact of the felony of the murder of
17 Monica Wall, we, the jury, by unanimous consent, find the
18 Defendant guilty. Dated February 6, 2009.

19 State of South Carolina versus Christopher Stephens,
20 indictment number (07-GS-26-2976), accessory before the facts
21 of the felony of armed robbery of Jamilla Hightower, on the
22 charge of accessory before the fact of the felony of armed
23 robbery of Jamilla Hightower, we, the jury, by unanimous
24 consent, find the Defendant guilty. Dated February 6, 2009.
25 Signed by Foreperson, Walter Hucks, III.

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1 Ladies and gentlemen of the jury, if this is your
2 verdict so signify by raising your right hand.

3 (AT THIS TIME EACH AND EVERY JUROR RAISED HIS OR HER
4 RIGHT HAND AFFIRMING THE VERDICTS AS PUBLISHED.)

5 THE COURT: Thank you, Ma'am.

6 All right, the jury having spoken to this matter and
7 affirmed their verdict, does the State wish the jury polled in
8 this matter?

9 MS. ELDER: No sir, Your Honor.

10 THE COURT: Does the Defendant, Christopher Stephens,
11 wish the jury polled in this particular matter?

12 MR. GARDNER: Yes sir, Your Honor.

13 THE COURT: All right. Very good.

14 All right, Madam Clerk, if you will poll the jury using
15 their juror numbers, please Ma'am.

16 DEPUTY CLERK OF COURT: Did you say juror number?

17 THE COURT: Juror number, please Ma'am.

18 DEPUTY CLERK OF COURT: One thirty -- I'm sorry.
19 Whenever I call your name please stand, and I will ask you two
20 questions. After you answer please be seated.

21 Juror 130, is this your verdict?

22 JUROR NUMBER 130: Yes.

23 DEPUTY CLERK OF COURT: Is it still your verdict?

24 JUROR NUMBER 130: Yes.

25 DEPUTY CLERK OF COURT: Thank you.

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1 One ten, is this your verdict?
2 JUROR NUMBER 110: Yes.
3 DEPUTY CLERK OF COURT: Is this still your verdict?
4 JUROR NUMBER 110: Yes.
5 DEPUTY CLERK OF COURT: Thank you.
6 Three thirty-seven, is this your verdict?
7 JUROR NUMBER 337: Yes.
8 DEPUTY CLERK OF COURT: Is this still your verdict?
9 JUROR NUMBER 337: Yes.
10 DEPUTY CLERK OF COURT: Thank you.
11 Forty-one, is this your verdict?
12 JUROR NUMBER 41: Yes.
13 DEPUTY CLERK OF COURT: Is this still your verdict?
14 JUROR NUMBER 41: Yes.
15 DEPUTY CLERK OF COURT: One seventy-four, is this your
16 verdict?
17 JUROR NUMBER 174: Yes.
18 DEPUTY CLERK OF COURT: Is this still your verdict?
19 JUROR NUMBER 174: Yes.
20 DEPUTY CLERK OF COURT: Thank you.
21 Three fifty-five, is this your verdict?
22 JUROR NUMBER 355: Yes.
23 DEPUTY CLERK OF COURT: Is this still your verdict?
24 JUROR NUMBER 355: Yes.
25 DEPUTY CLERK OF COURT: Thank you.

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1 Three twenty, is this your verdict?
2 JUROR NUMBER 320: Yes.
3 DEPUTY CLERK OF COURT: Is this still your verdict?
4 JUROR NUMBER 320: Yes.
5 DEPUTY CLERK OF COURT: Thank you.
6 Two Sixty-one, is this your verdict?
7 JUROR NUMBER 261: Yes.
8 DEPUTY CLERK OF COURT: Is this still your verdict?
9 JUROR NUMBER 261: Yes.
10 DEPUTY CLERK OF COURT: One fifty-one, is this your
11 verdict?
12 JUROR NUMBER 151: Yes.
13 DEPUTY CLERK OF COURT: Is this still your verdict?
14 JUROR NUMBER 151: Yes.
15 DEPUTY CLERK OF COURT: Thank you.
16 Twenty-five, is this your verdict?
17 JUROR NUMBER 25: Yes.
18 DEPUTY CLERK OF COURT: Is this still your verdict?
19 JUROR NUMBER 25: Yes.
20 DEPUTY CLERK OF COURT: Two forty-five, is this your
21 verdict?
22 JUROR NUMBER 245: Yes.
23 DEPUTY CLERK OF COURT: Is this still your verdict?
24 JUROR NUMBER 245: Yes.
25 DEPUTY CLERK OF COURT: One seventy-three, is this your

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1 verdict?

2 JUROR NUMBER 173: Yes.

3 DEPUTY CLERK OF COURT: Is this still your verdict?

4 JUROR NUMBER 173: Yes.

5 DEPUTY CLERK OF COURT: Thank you.

6 THE COURT: All right. The jury having been polled and
7 affirmed their verdict, is there anything further from the
8 Defendant, Jimmy Lee Sessions, as to the jury?

9 MR. GARDNER: No, Your Honor.

10 THE COURT: From the Defendant, Christopher Stephens,
11 as to the jury?

12 MR. FREDERICK: No, Your Honor.

13 THE COURT: Very good. Thank you.

14 Ladies and gentlemen of the jury in this particular
15 matter, and speaking also to the alternates, I want to thank
16 you for your service in this particular case. This obviously
17 was a very difficult case. I was very much impressed with the
18 attention to this case paid by all members of the jury. You
19 took your oath, you took your duty extremely seriously, and I
20 appreciate that very much as your Presiding Judge. You did
21 exactly what the Court asked you to do, that is, to render a
22 true and just verdict in this matter, and by your matter you
23 have so done, and I want to thank you.

24 Please remember that you have earned an exemption from
25 coming to Circuit Court jury duty in the next three years. If

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1 your fine Clerk of Court here sends you a notice about jury
2 duty here in Circuit Court please let her know.

3 With that you are now excused. You will please go with
4 the Deputy to the jury room. There will be deputies there to
5 escort you to your cars.

6 Thank you very much.

7 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
8 JURY.)

9 THE COURT: All right, Mr. Gardner, motions, sir.

10 MR. GARDNER: Your Honor, I believe I, for the record,
11 would move for -- trying to remember what it's called in
12 Criminal Court -- the motion ---

13 THE COURT: Motion for a new trial.

14 MR. GARDNER: ---Motion for a new trial.

15 THE COURT: All right, sir.

16 Would you join in that motion, Mr. Frederick ---

17 MR. FREDERICK: We do.

18 THE COURT: ---On behalf of Mr. Stephens?

19 MR. FREDERICK: We do. We move for a new trial based
20 on the same grounds as our motion for a directed verdict.

21 THE COURT: All right, sir. Regarding the motions for
22 a new trial made by Mr. Sessions and Mr. Stephens in this
23 matter, I do find that, as I indicated in ruling on the
24 directed verdict motions, that there is more than sufficient
25 evidence, if so believed by the jury, to find these Defendants

JURY IN/VERDICT
MOTIONS/SENTENCING

1029

1 guilty of the crimes charges, therefore, I respectfully
2 decline to grant your motions for a new trial, finding there
3 is competent evidence to sustain the jury's verdict in this
4 particular matter on both Defendants regarding all of the
5 charges as against each Defendant.

6 Thank you very much.

7 All right. Is the State ready to proceed with
8 sentencing in these matters?

9 MR. RICHARDSON: We are, Your Honor.

10 THE COURT: Is the Defendant, Sessions, ready to
11 proceed?

12 MR. RICHARDSON: Your Honor, may I approach?

13 THE COURT: Yes sir.

14 MR. GARDNER: Yes sir.

15 THE COURT: Mr. Frederick, the Defendant, Stephens.

16 MR. FREDERICK: Yes sir.

17 THE COURT: Yes sir.

18 (SOLICITOR PASSES DOCUMENTS TO THE COURT.)

19 THE COURT: All right, sir. Thank you.

20 MR. RICHARDSON: Your Honor, if I could have a moment
21 to speak to the family too, to see if they wish to address the

22 ---

23 THE COURT: Yes sir. Yes sir.

24 MR. RICHARDSON: Your Honor, at the appropriate time
25 the victims' family -- each mother will speak to the Court.

JURY IN/VERDICT
MOTIONS/SENTENCING

1030

1 THE COURT: All right, sir. Very good. Just give me a
2 minute, please.

3 All right, Solicitor, I'll be glad to hear from you,
4 sir.

5 MR. RICHARDSON: Your Honor, I'll address the
6 Defendant, Christopher Stephens, first. I'll briefly go into
7 his record, Your Honor. I did go into it earlier today when
8 we discussed what would be allowed if he were to testify.

9 Your Honor, we'll just start back in 1997, the Defendant
10 got convicted of distribution of drugs other than crack
11 cocaine. He got a Y.O.A. sentence for that. That was June of
12 '97.

13 Then in October of '97 he got convicted of m.d.p. drugs,
14 manufacturing and distribution, possession with intent, drugs.
15 I don't know if it's cocaine or marijuana, but he got two
16 years suspended to jail, four months.

17 Then in 2001, he got a conviction for sale of a pistol,
18 or possession of a pistol by certain person prohibited. Of
19 course with his felony record he would be wrong in having
20 anything to do with a handgun.

21 We've got assault and battery of a high and aggravated
22 nature in 2001. Looks like that might have been pled down
23 from assault and battery with intent to kill. He got thirty
24 months on that.

25 He also has a 2004, conviction for manufacturing drugs

1 again, Your Honor. He got five years suspended to one year,
2 and three years probation.

3 He got another unlawful carrying of a weapon.

4 Your Honor, he's got a nice little history there. In
5 addition, I'll pass up to the Court at this time, or I can
6 read from this report, this is from J. Reuben Long Detention
7 Center, dated January 21st, 2009, is whenever this Defendant
8 got put into maximum security, and the reason he got put into
9 maximum security, he was given a razor to shave, and then
10 whenever it was time to hand that razor back in, because they
11 can't have blades out there, he indicated he had given the
12 razor back to another detention officer. The detention
13 officer was questioned about this, said I didn't get a razor
14 back. They went and searched the cell and they found the
15 razor blade that had been removed from the razor, and that was
16 under this Defendant's mattress. That's why he's in maximum
17 security right now. That's why he was with Belal Harris.
18 He's in maximum security because he was secreting a weapon.

19 Your Honor, as to both of these Defendants, this was a
20 horrendous crime. It's a double murder. I was talking --
21 Captain Bill Klonts, first double murder they've had in Myrtle
22 Beach. This is a horrendous crime, pre-planned.

23 You heard Lieutenant Prodan tell you, there is no other
24 way this could have occurred but by careful orchestration and
25 planning.

JURY IN/VERDICT
MOTIONS/SENTENCING

1032

1 Your Honor, the crime, accessory before the fact of
2 murder carries the same sentence as the murder itself, and the
3 State would ask you to impose the maximum sentence on that.

4 This is two counts of murder. The State would ask for
5 consecutive sentences on all charges, Your Honor.

6 With regard to the Defendant, Sessions, Your Honor, he's
7 got sale of hallucinogenic drugs, he got six years, three to
8 serve, three on probation, out of New Haven, Connecticut. He
9 got a conditional discharge on something else, but I don't
10 ever see that being removed. That was on more controlled
11 substance, Your Honor. That was all the way back in 2002.

12 We've got possession of a weapon -- that's a Federal
13 charge -- for which he got eighty-four months. It was a 1996
14 guilty plea, possession in effect in commit -- commission in
15 the sale of firearms. That was in 2000.

16 He got a probation violation in 2003, I believe on the
17 same offense.

18 He got a possession of a firearm, looks like 2000. He
19 got twelve months, if I'm reading that right.

20 Your Honor, he's got carrying a concealed weapon. He
21 got an Eight Hundred Ninety-Five (\$895.00) Dollar fine on that
22 in 2000.

23 Trying to go back in time, Judge. He got a shoplifting
24 back in '87, then he got a burglary in the first degree and
25 grand larceny, which I believe is pled down to burglary --

JURY IN/VERDICT
MOTIONS/SENTENCING

1033

1 burglary second and grand larceny, for which he got a Y.O.A.
2 sentence. That was back in '88.

3 In '93 he had simple possession of marijuana, something
4 with his vehicle registration violation, simple possession of
5 marijuana. He got fined on that.

6 He's got possession of crack cocaine. He got eight
7 months on that in '94.

8 Your Honor, at the time of these crimes, June 6, 2006 --
9 or June 8, 2006, I had trafficking cocaine charges on this
10 Defendant. With his prior record it was going to be a
11 trafficking second, I believe, just basing the sentence on
12 that, while he was out on this.

13 He ran from that, ran from this, ran to Connecticut. We
14 had to put his bondsman out to go get him in Connecticut. He
15 ran from this. The flight just frustrated this more.

16 Your Honor, once again, this is a terrible crime, a
17 double homicide, execution style, pre-planned, with no regard
18 for human life. Your Honor, I've never asked for life on a
19 Defendant before. That's what I'm asking for today. Double
20 homicide, murder carries life. This Defendant deserves to
21 never leave prison while he still draws breath, because these
22 two girls ain't coming back, all over drugs and money, Your
23 Honor.

24 Your Honor, if you would hear from the victims' family
25 at this time.

JURY IN/VERDICT
MOTIONS/SENTENCING

1034

1 **THE COURT:** All right, sir.

2 Yes Ma'am. If you would come right to the microphone.
3 If you would tell me your name, and I'll be glad to hear from
4 you, Ma'am.

5 **BARBARA HIGHTOWER:** My name is Barbara Hightower.

6 **THE COURT:** Yes Ma'am.

7 **BARBARA HIGHTOWER:** Your Honor, I just want to say that
8 for three years my heart has hurt, and I don't understand why.
9 I just keep asking myself why. They could have took anything
10 they wanted. They didn't have to take their lives. Not only
11 my family but their family is left back here hurting. They
12 devastated a lot of people's lives, and I just want to say,
13 this has been a long time coming, and I'm glad it's over,
14 justice but never closure, because I'm never going to get to
15 see my daughter again. I'm never going to have to talk to her
16 again, have the opportunity any more. I have to go to the
17 graveyard to summon up what to say to my child, and I'm glad
18 that justice has finally came.

19 **THE COURT:** Thank you, Ma'am.

20 **MR. RICHARDSON:** Your Honor, this is Monica's mother,
21 Ms. Betty Wall.

22 **THE COURT:** All right. If you would state your name,
23 Ma'am, I'll be glad to hear from you.

24 **MS. WALL:** My name is Betty Wall. I would like to say
25 that, when they took Monica they took a best friend of mine.

JURY IN/VERDICT
MOTIONS/SENTENCING

1035

1 She was not only my daughter but she was my best friend.
2 Every morning I wake up I look at her picture. All I can say,
3 Mommy miss you, baby, and I've been sick ever since my baby
4 died. I've been back and forth in the hospital. Right now
5 I've suppose to have been put away, but I didn't want them to
6 put me away because I wanted to be here in court just to see
7 justice be done for my child. I have lost weight. My mama
8 have been sick, everybody in the whole family. It just took a
9 toll. It's just like a different family. It's not together
10 no more like it used to be, and I just want to say that I
11 thank you, and I thank everybody that had to get up, having
12 justice done for my daughter.

13 That's all I have to say. It just ---

14 **THE COURT:** Thank you, Ma'am.

15 Anything further, Solicitor?

16 **MR. RICHARDSON:** No sir, Your Honor. I believe that's
17 enough said.

18 **THE COURT:** Very good.

19 All right, Mr. Gardner, I'll be glad to hear from you,
20 sir.

21 **MR. GARDNER:** Thank you, Judge.

22 He is, as you know, thirty-nine years old, present in
23 the courtroom, and his parents are with him. He has three
24 children who are not present in the courtroom.

25 You've heard the case. You know all about it. I -- for

JURY IN/VERDICT
MOTIONS/SENTENCING

1036

1 the record -- I don't think it really matters -- but it's
2 important to him. He didn't run from this case. He's been
3 anxiously ready for this case. Denied his guilt the whole
4 time. He's been grilled up and down like no other defendant
5 I've ever seen, adamantly stood by that, and he still stands
6 by it today.

7 I know we are here for the punishment, not that, but I
8 would ask you to consider the minimum sentence. My
9 understanding is that you have discretion between a mandatory
10 minimum of thirty, up to what the Solicitor is asking for, and
11 I would ask you to sentence him on the minimum, Your Honor.

12 THE COURT: Does Mr. Sessions wish to say anything to
13 the Court?

14 MR. GARDNER: He would just like to tell the family
15 that he didn't do it.

16 THE COURT: Thank you very much.

17 All right. Mr. Frederick, on behalf of Mr. Stephens.

18 MR. FREDERICK: Judge, Mr. Stephens, Christopher, is
19 thirty years old. His family is also here in the courtroom
20 today. He has three children -- he has five children, Judge.
21 One is very soon going in for heart surgery. They've been
22 putting that off.

23 His wife has been up here in the courthouse all week
24 also.

25 I understand that he has a record, Judge. He also has

JURY IN/VERDICT
MOTIONS/SENTENCING

1037

1 maintained his innocence. That has no place here and now.
2 This is sentencing hearing. Judge, if you sentence him to the
3 minimum sentence he will be nearing sixty years old when he
4 walks out of there, and weighing the relative severity of each
5 of the Defendants' charges I think that would be appropriate.

6 **THE COURT:** Thank you, sir.

7 Did Mr. Stephens wish to say anything to the Court?

8 **CHRISTOPHER STEPHENS:** I can't apologize because we --
9 we maintain our innocence, but I -- I just ask that you -- you
10 do what you can -- show leniency, because as I said, I still
11 stand by my innocence, as well as Mr. Sessions.

12 I feel sorry for the family. I've got my own family to
13 feel sorry for as well.

14 Obviously they painted a better picture for the jury,
15 so, you know, other than that I'd like to thank my attorneys,
16 and our Defense team. They did what they could do, but you
17 know, as I said, they painted the right picture for the twelve
18 that was in the box.

19 **THE COURT:** Thank you, sir.

20 **MR. FREDERICK:** Judge ---

21 **THE COURT:** Yes sir.

22 **MR. FREDERICK:** ---I would just like to add that, over
23 the last year and a half, as long as we've been working with
24 Christopher, on more than one occasion he has expressed that
25 he understood the pain that the families felt, but he did

JURY IN/VERDICT
MOTIONS/SENTENCING

1038

1 maintain his innocence.

2 THE COURT: Yes sir.

3 MR. FREDERICK: He is not without feeling for these
4 victims' families.

5 THE COURT: I understand that. Thank you, sir.

6 MR. FREDERICK: Thank you.

7 THE COURT: All right. These are going to be the
8 sentences regarding Mr. Jimmy Lee Sessions.

9 Regarding (07-GS-26-2962), regarding the crime of
10 murder, the sentence of the Court is, Defendant is committed
11 to the State Department of Corrections for a determinat term
12 of life in prison.

13 (07-GS-26-2963), regarding the crime of murder,
14 Defendant is committed to the State Department of Corrections
15 for a determinat term of life in prison, concurrent with the
16 (07-GS-26-2962).

17 Regarding (08-GS-26-2698), as to the offense of
18 burglary, Defendant is committed to the State Department of
19 Corrections for a determinat term of thirty years, concurrent
20 with (07-2962).

21 Regarding (07-GS-26-2967), regarding armed robbery, the
22 sentence of the Court is, Defendant is committed to the State
23 Department of Corrections for a determinat term of thirty
24 years, concurrent with (07-GS-26-2962)..

25 As to Mr. Christopher Stephens, regarding (07-GS-26-

JURY IN/VERDICT
MOTIONS/SENTENCING

1039

1 2974), State of South Carolina, County of Horry, Christopher
2 Stephens, regarding accessory before the fact of murder, the
3 sentence of the Court is Defendant is committed to the State
4 Department of Corrections for a determinat term of forty
5 years.

6 (07-GS-26-2975), accessory before the fact of murder,
7 Defendant is committed to the State Department of Corrections
8 for a determinat term, forty years, concurrent with (07-GS-
9 26-2974).

10 (07-GS-26-2976), accessory before the fact armed
11 robbery, Defendant is committed to the State Department of
12 Corrections for a determinat term, thirty years, concurrently
13 with (07-GS-26-2974).

14 Thank you very much.

15 MS. ELDER: Thank you, Your Honor.

16 MR. RICHARDSON: Thank you, Your Honor.

17 -----END OF REQUESTED TRANSCRIPT OF RECORD-----

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C E R T I F I C A T E

I, the undersigned, DIXIE COX EUBANK, Official Court Reporter for the Fifteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of all the proceedings had and evidence introduced in the TRIAL of the captioned case, relative to appeal, in the COURT OF GENERAL SESSIONS FOR HORRY COUNTY, SOUTH CAROLINA, on the 2nd, 3rd, 4th, 5th and 6th days of February, 2009.

I DO FURTHER CERTIFY that I am neither of kin, counsel nor interest to any party hereto.

August 14, 2009

Dixie Cox Eubank
DIXIE COX EUBANK

CIRCUIT COURT REPORTER

FIFTEENTH JUDICIAL CIRCUIT



The State of South Carolina

County of Horry

Brad Richardson

85448-1

COURT OF GENERAL SESSIONS

July, 2008 TERM

THE STATE

vs.

Jimmy Lee Sessions

B/M

Myrtle Beach, SC 29588

DOB:

SSN:

ATTORNEY: Gardner, Johnny

Indictment for

Burglary 1st degree

J. Gregory Hembree, Solicitor

ORIGINAL

ARREST WARRANT NUMBER

2JJ8GS2602698

CDR: 0079 16-11-0311

DOA: 5/1/2007

ACTION OF GRAND JURY

TRUE BILL
Brad Richardson
Foreperson of Grand Jury
Date: JUL 10 2008

VERDICT

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT
BURGLARY, 1ST DEGREE

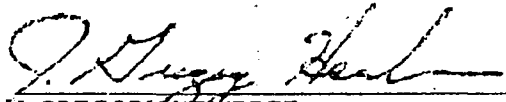
At a Court of General Sessions, convened on July 10, 2008, the Grand Jurors of Horry County present upon their oath:

BURGLARY, 1ST DEGREE

CDR: 0079 16-11-0311

That Jimmy Lee Sessions did in Horry County on or about June 8, 2006 through June 9, 2006, enter the dwelling of Monica Wall and Jamelia Hytower located at [REDACTED] Myrtle Beach, SC without consent and with the intent to commit a crime therein and the defendant did so in the nighttime, and/or did so while armed with a deadly weapon, and/or used or threaten use of a dangerous instrument, and/or displayed what is or appears to be a firearm, in violation of Section 16-11-0311(A), Code of Laws of South Carolina, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



J. GREGORY HEMBREE
FIFTEENTH CIRCUIT SOLICITOR

DOCKET NO. 2007-GS-26-2961
THE STATE OF SOUTH CAROLINA
COUNTY OF HORRY
BCR 85448-001
COURT OF GENERAL SESSIONS
JULY TERM 2007

THE STATE
VS

B/M

JIMMY LEE SESSIONS
[REDACTED]
MYRTLE BEACH, SC 29588-2008
DOB: [REDACTED]
SS#: [REDACTED]

MANN/MBPD
WITNESSES

ARREST WARRANT NO. K003414

(CDR: 0139 16-11-0330(A))

DOA: 05-01-07

ACTION OF GRAND JURY

TRUDE ELL

[Signature] SEP 20 2007
Foreman of Grand Jury

VERDICT

ATTORNEY: JAMES GALMORE

INDICTMENT FOR:

ARMED ROBBERY

ORIGINAL

J. GREGORY HEMBREE, SOLICITOR

Foreman of Petit Jury Date:

1054

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT FOR:

ARMED ROBBERY

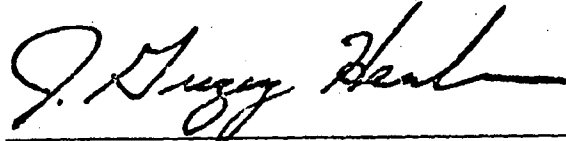
At a Court of General Sessions, convened on July 19, 2007, the Grand Jurors of Horry County present upon their oath:

ARMED ROBBERY

(CDR: 0139 16-11-0330(A))

That JIMMY LEE SESSIONS did in Horry County on or about June 8, 2006, while armed with a deadly weapon, to wit: a handgun, take and carry away personal property from or in the immediate presence of Jamilla Hytower with intent to deprive her of possession by use of force, threats or intimidation, in violation of Section 16-11-330(A), S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SOLICITOR

DOCKET NO. 2007-GS-26-2962
THE STATE OF SOUTH CAROLINA
COUNTY OF HORRY
BCR 85448-001
COURT OF GENERAL SESSIONS
JULY TERM 2007

THE STATE
VS

JIMMY LEE SESSIONS B/M
[REDACTED]
MYRTLE BEACH, SC 29588
DOB: [REDACTED]
SS#: [REDACTED]

ARREST WARRANT NO. K003419

(CDR: 0116 16-03-0010,0020)

DOA: 05-01-07

ACTION OF GRAND JURY

TRUE BILL

SEP 20 2007

Foreman of Grand Jury

VERDICT

ATTORNEY: JAMES GALMORE

INDICTMENT FOR:

MURDER

ORIGINAL

Foreman of Petit Jury Date:

J. GREGORY HEMBREE, SOLICITOR

MANN/MBPD
WITNESSES

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT FOR:

MURDER

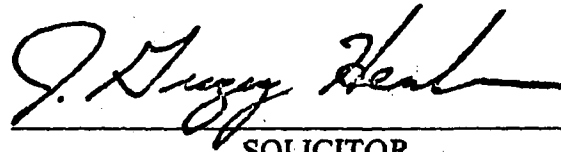
At a Court of General Sessions, convened on July 19, 2007, the Grand Jurors of Horry County present upon their oath:

MURDER

(CDR: 0116 16-03-0010,0020)

That JIMMY LEE SESSIONS did in Horry County, on or about June 8, 2006, willfully, feloniously, and intentionally kill the victim, Monica Wall, with malice aforethought, either express or implied, by means of shooting the victim, and the victim did die as a proximate result thereof on or about June 8, 2006 in Horry County, in violation of Section 16-3-10, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SOLICITOR

DOCKET NO. 2007-GS-26-2963
THE STATE OF SOUTH CAROLINA
COUNTY OF HORRY
BCR 85448-001
COURT OF GENERAL SESSIONS
JULY TERM 2007

THE STATE
VS

JIMMY LEE SESSIONS B/M
[REDACTED]
MYRTLE BEACH, SC 29588
DOB: [REDACTED]
SS#: [REDACTED]

MANN/MBPD
WITNESSES

ARREST WARRANT NO. K003413
(CDR: 0116 16-03-0010.0020)

DOA: 05-01-07

ACTION OF GRAND JURY

TRUE BILL

[Signature] SEP 20 2007
Foreman of Grand Jury

ATTORNEY: JAMES GALMORE

INDICTMENT FOR:

VERDICT

MURDER

ORIGINAL

J. GREGORY HEMBREE, SOLICITOR

Foreman of Petit Jury Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT FOR:

MURDER

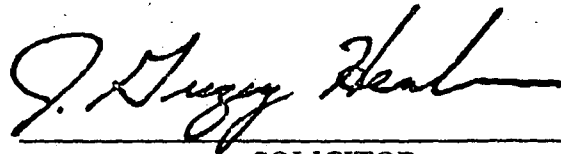
At a Court of General Sessions, convened on July 19, 2007, the Grand Jurors of Horry County present upon their oath:

MURDER

(CDR: 0116 16-03-0010,0020)

That JIMMY LEE SESSIONS did in Horry County, on or about June 8, 2006, willfully, feloniously, and intentionally kill the victim, Jamilla Hytower, with malice aforethought, either express or implied, by means of shooting the victim, and the victim did die as a proximate result thereof in Horry County, in violation of Section 16-3-10, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SOLICITOR

MANN/MBPD
WITNESSES

DOCKET NO. 2007-GS-26-2917

THE STATE OF SOUTH CAROLINA

COUNTY OF HORRY

BCR 85448-002
COURT OF GENERAL SESSIONS

JULY 2007 TERM

THE STATE
VS

CHRISTOPHER STEPHENS B/M

MYRTLE BEACH, SC 29577

DOB: [REDACTED]
SS#: [REDACTED]

ARREST WARRANT NO. CAW200707006

CDR: 0002 16-01-0040_0050

DOA: 05-01-07

ACTION OF GRAND JURY

TRUE BILL

OCT 25 2007

[Signature]
Foreman of Grand Jury

VERDICT

ACCESSORY BEFORE THE FACT OF A FELONY

ORIGINAL

Foreman of Petit Jury Date:

J. GREGORY HEMBREE, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT FOR:

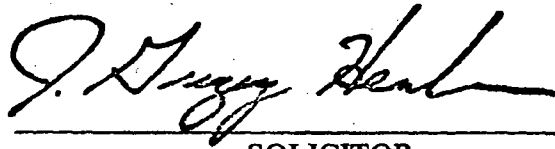
ACCESSORY BEFORE THE FACT OF A FELONY

At a Court of General Sessions, convened on July 19, 2007, the Grand Jurors of Horry County present upon their oath:

ACCESSORY BEFORE THE FACT OF A FELONY
CDR: 0002 16-01-0040, 0050

That CHRISTOPHER STEPHENS did in Horry County on or about June 8, 2006, advised or agreed with or urged or hired or in some way aided, counseled or encouraged the principal felon to commit the felony of Murder of Monica Walls, but was not himself present when the crime was committed, in violation of the Common Law and Section 16-1-40, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SOLICITOR

MAIN/MBPD
WITNESSES

DOCKET NO. 2007-GS-26-2974

THE STATE OF SOUTH CAROLINA

COUNTY OF Horry

BCR 85448-002
COURT OF GENERAL SESSIONS

JULY TERM 2007

THE STATE
VS

CHRISTOPHER STEPHENS B/M
[REDACTED]
MYRTLE BEACH, SC 29577
DOB: [REDACTED]
SS#: [REDACTED]

ARREST WARRANT NO. K003391

CDR: 0002 16-01-0040, 0050

DOA: 05-01-07

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreman of Grand Jury

OCT 25 2007

VERDICT

ATTORNEY: BOBBY FREDERICK

INDICTMENT FOR:

ACCESSORY BEFORE THE FACT OF A FELONY

ORIGINAL

Foreman of Petit Jury Date:

J. GREGORY HEMBREE, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT FOR:

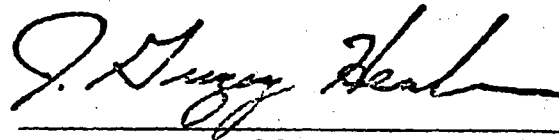
ACCESSORY BEFORE THE FACT OF A FELONY

At a Court of General Sessions, convened on July 19, 2007, the Grand Jurors of Horry County present upon their oath:

ACCESSORY BEFORE THE FACT OF A FELONY
CDR: 0002 16-01-0040, 0050

That CHRISTOPHER STEPHENS did in Horry County on or about June 8, 2006, advised or agreed with or urged or hired or in some way aided, counseled or encouraged the principal felon to commit the felony of Murder of Jamilla Hytower, but was not himself present when the crime was committed, in violation of the Common Law and Section 16-1-40, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SOLICITOR

MAN/MBPD
WITNESSES

DOCKET NO. 2007-GS-26-2976

THE STATE OF SOUTH CAROLINA

COUNTY OF Horry

BCR 85448-002

COURT OF GENERAL SESSIONS

JULY TERM 2007

THE STATE
VS

CHRISTOPHER STEPHENS B/M

[REDACTED]

MYRTLE BEACH, SC 29577

DOB: [REDACTED]

SS#: [REDACTED]

ARREST WARRANT NO. K003392

CDR: 0002 16-01-0040.0050

DOA: 05-01-07

ACTION OF GRAND JURY

TRUE BILL

OCT 25 2007

Foreman of Grand Jury

VERDICT

ATTORNEY: BOBBY FREDERICK

INDICTMENT FOR:

ACCESSORY BEFORE THE FACT OF A FELONY

ORIGINAL

Foreman of Petit Jury Date:

J. GREGORY HEMBREE, SOLICITOR

STATE OF SOUTH CAROLINA)

INDICTMENT FOR:

COUNTY OF HORRY)

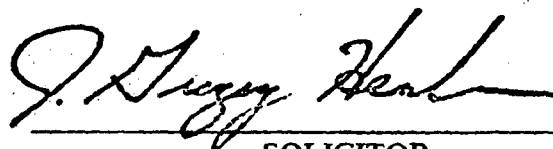
ACCESSORY BEFORE THE FACT OF A FELONY

At a Court of General Sessions, convened on July 19, 2007, the Grand Jurors of Horry County present upon their oath:

ACCESSORY BEFORE THE FACT OF A FELONY
CDR: 0002 16-01-0040, 0050

That CHRISTOPHER STEPHENS did in Horry County on or about June 8, 2006, advised or agreed with or urged or hired or in some way aided, counseled or encouraged the principal felon to commit the felony of Armed Robbery of Jamilla Hytower, but was not himself present when the crime was committed, in violation of the Common Law and Section 16-1-40, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SOLICITOR

DOCKET NO. 2007-GS-26-29771
THE STATE OF SOUTH CAROLINA
COUNTY OF HORRY
BCR 85448-002
COURT OF GENERAL SESSIONS
JULY TERM 2007

THE STATE
VS

CHRISTOPHER STEPHENS B/M
[REDACTED]
MYRTLE BEACH, SC 29577
DOB: [REDACTED]
SS#: [REDACTED]

ARREST WARRANT NO. K003390
CDR: 2413 16-01-0055
DOA: 05-01-07

ACTION OF GRAND JURY

TRUE DILL
OCT 25 2007
Foreman of Grand Jury
VERDICT

ATTORNEY: BOBBY FREDERICK
INDICTMENT FOR:

ACCESSORY AFTER THE FACT

ORIGINAL

J. GREGORY HEMBREE, SOLICITOR

Foreman of Petit Jury Date:

PLAIN/MBPD
WITNESSES

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT FOR:

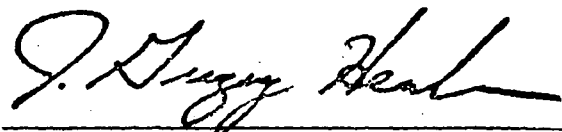
ACCESSORY AFTER THE FACT

At a Court of General Sessions, convened on July 19, 2007, the Grand Jurors of Horry County present upon their oath:

ACCESSORY AFTER THE FACT
CDR: 2413 16-01-0055

That CHRISTOPHER STEPHENS did in Horry County on or about June 8, 2006, knowing of the commission and completion of the felony of Armed Robbery of Jamilla Hytower by the principal felon, Jimmy Lee Sessions, harbor or assist such felon after the fact with the intention of enabling the felon to escape detection or arrest or otherwise avoid the consequences of the crime, in violation of the Common Law crime of Accessory After the Fact in commission of a felony.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SOLICITOR

MANN/MBPD
WITNESSES

DOCKET NO. 2007-GS-26-2918
THE STATE OF SOUTH CAROLINA
COUNTY OF HORRY

BCR 85448-002
COURT OF GENERAL SESSIONS

JULY TERM 2007

THE STATE
VS

CHRISTOPHER STEPHENS B/M
[REDACTED]
MYRTLE BEACH, SC 29577
DOB: [REDACTED]
SS#: [REDACTED]

ARREST WARRANT NO. K003389
CDR: 2413 16-01-0055
DOA: 05-01-07

ACTION OF GRAND JURY

TRIE DILL
OCT 25 2007
Foreman of Grand Jury

ATTORNEY: BOBBY FREDERICK
INDICTMENT FOR:

VERDICT

ACCESSORY AFTER THE FACT

ORIGINAL

J. GREGORY HEMBREE, SOLICITOR

Foreman of Petit Jury Date:

STATE OF SOUTH CAROLINA)

COUNTY OF HORRY)

INDICTMENT FOR:

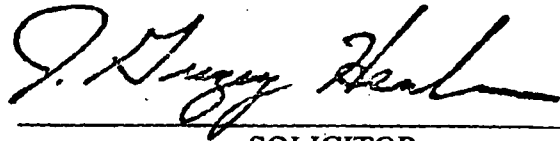
ACCESSORY AFTER THE FACT

At a Court of General Sessions, convened on July 19, 2007, the Grand Jurors of Horry County present upon their oath:

ACCESSORY AFTER THE FACT
CDR: 2413 16-01-0055

That CHRISTOPHER STEPHENS did in Horry County on or about June 8, 2006, knowing of the commission and completion of the felony of Murder of Jamilla Hytower by the principal felon, Jimmy Lee Sessions, harbor or assist such felon after the fact with the intention of enabling the felon to escape detection or arrest or otherwise avoid the consequences of the crime, in violation of the Common Law crime of Accessory After the Fact in commission of a felony.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SOLICITOR

DOCKET NO. 2007-GS-26-2919
THE STATE OF SOUTH CAROLINA
COUNTY OF HORRY
BCR 85448-002
COURT OF GENERAL SESSIONS
JULY TERM 2007

THE STATE
VS

CHRISTOPHER STEPHENS B/M
[REDACTED]
MYRTLE BEACH, SC 29577
DOB: [REDACTED]
SS#: [REDACTED]

MANN/MBPD
WITNESSES

ARREST WARRANT NO. CAW200707005
CDR: 2413 16-01-0055

DOA: 05-01-07

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreman of Grand Jury

OCT 25 2007

VERDICT

ATTORNEY: BOBBY FREDERICK

INDICTMENT FOR:

ACCESSORY AFTER THE FACT

ORIGINAL

J. GREGORY HEMBREE, SOLICITOR

Foreman of Petit Jury Date: _____

