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Feb 22 2024

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON )

STATE OF SOUTH CAROLINA )

v. )

HERBERT PALMER, JR., )

Defendant. )

IN THE COURT OF COMMON PLEAS  
NINTH JUDICIAL CIRCUIT

CASE NOS.: 1998-GS-10-1859; 1999-GS-  
10-5258; 59

AFFIDAVIT OF CARL JUDGE

PERSONALLY appeared before me, **Carl Judge**, who being duly sworn, deposes and says:

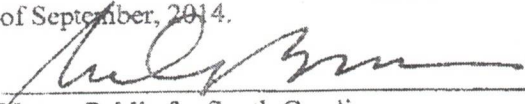
1. I am a resident of Charleston, South Carolina. I testified against the Defendant at his trial on these charges in 1999.
2. At the Defendant's trial, I testified that I witnessed the Defendant shoot the victim, Marlo Perry. This testimony was not true.
3. Although I did walk with Marlo, Jasper Lloyd, and another individual I knew as "Black" to the location of the shooting, I left prior to the shooting with another individual named Kamal Dickerson. Kamal is now deceased. As I was walking away with Kamal, I heard the gunshots fired. I did not see the shooting or who fired the shots.
4. Approximately a week prior to the Defendant's trial, I met with a female prosecutor and two North Charleston police officers at my residence. I was instructed to testify that I witnessed the Defendant shoot Marlo. I was told that if I did not testify that I saw the Defendant shoot Marlo, I would be taken to prison for drug charges that were pending at the time.

5. When I identified the Defendant in court, I believed that I was identifying Michael Palmer as the shooter. I did not realize that Michael Palmer was not the individual who was on trial.
6. I am remorseful for the false testimony I gave at the Defendant's trial. I am willing to testify to the truth if called upon to testify to do so.

FURTHER, AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Carl Judge

SWORN TO BEFORE me this 09 day  
of September, 2014.

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina  
My Commission Expires:

MICHAEL N. BOWERS  
Notary Public, South Carolina  
My Commission Expires  
April 05, 2020

**RECEIVED**

AFFIDAVIT OF TARA SPANN

**Feb 22 2024**

**S.C. SUPREME COURT**


The affiant being duly sworn states the following:

1. My name is Tara Spann. On March 23, 2022, I was interviewed by private investigator Jack Scarborough and attorney Brian M. Byrd regarding a shooting that occurred on November 2, 1997, at a trailer park off of Stall Road in North Charleston, South Carolina. All of the statements made in this affidavit are accurate to the best of my knowledge and recollection.
2. On the day of the shooting, I drove to the trailer park with my friend Tabia, who was dating the deceased, Marlo. Marlo and his friends placed a gun in my car, and they told me to back into the trailer park so my car would face Stall Road. They were going there to fight.
3. Tabia and I were in the car, and I heard what I thought at first was fireworks. Then there was a commotion and people were running. I realized that someone was shooting, but I could not see who it was because I was facing Stall Road. Then Marlo's friend Jasper tried to get the gun from my car, but I was driving away.
4. I never saw Herbert Palmer with a gun, and I certainly never saw Mr. Palmer point a gun in my direction.
5. After the incident, I was told by Tabia and Marlo's friends that I needed to say that Herbert Palmer was the person who shot Marlo.
6. When I was questioned by the police detectives, I felt pressured by them to identify Herbert Palmer as the person who shot Marlo. I told them I was not sure who had been shooting, but they pressured me to identify Mr. Palmer as the shooter.
7. At trial, I testified that Herbert Palmer was the person who shot Marlo because of the pressure from law enforcement and my friends to testify that way. I feel guilty about that because I do not know who shot Marlo. I was not sure then, and I am not sure now. That being the case, I feel that my testimony at that time was not honest.
8. I am coming forward now through this affidavit to clear my conscience because I do not know who actually shot Marlo.



  
Tara Spann

SWORN to and SUBSCRIBED  
Before me this 13 day of June, 2022

  
Notary Public for South Carolina  
My Commission Expires: 12/4/2022

