

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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AUG 05 2024

SC Court of Appeals

Appeal from Spartanburg County
Honorable Grace Gilchrist Knie, Circuit Court Judge
Appellate Case No. 2023-000511

THE STATE,

Respondent,

vs.

KEITH VINCENT BROWN,

Appellant.

AFFIDAVIT

Personally appeared before me, Spenser H. Smith, who being duly sworn, attests to the following:

I.

I am an Assistant Solicitor in the Seventh Judicial Circuit Solicitor's Office.

II.

I served as one of the prosecutors for the State of South Carolina in Appellant Keith Vincent Brown's case. Additionally, I was present during the pre-trial motions hearing and trial conducted on March 14-16, 2023, in Appellant's case, including when two photographs were presented to and discussed with the trial judge and entered into evidence for the purposes of the pre-trial hearing.

III.

Although those photographs were marked as exhibits and entered into evidence for pre-trial hearing purposes, neither of those items currently appears to be in possession of either the court reporter or the Spartanburg County Clerk of Court for reasons unclear. Nevertheless, the above-referenced photographs were before the trial judge during the circuit court proceedings as they were marked and introduced as State's Exhibit 5 and State's Exhibit 7. Furthermore, the pictures were explicitly referenced in the transcript from the pre-trial motions hearing on pages 63-64 and 80.

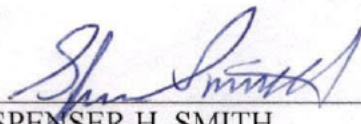
IV.

Exact copies of the above-referenced photographs that were introduced during the pre-trial hearing as State's Exhibit 5 and State's Exhibit 7 have been included with this affidavit as Attachment "A" (State's Exhibit 5) and Attachment "B" (State's Exhibit 7).

V.

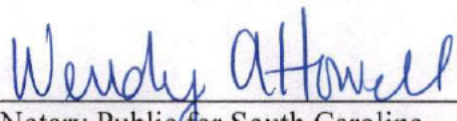
To the best of my knowledge and experience, the included exhibits identified as Attachment "A" and Attachment "B" truly and accurately reflect the exhibits that were before the trial judge during the circuit court proceedings in Appellant's case.

WHEREFORE, the undersigned hereby certifies that the above is true to the best of his knowledge and recollection. I have this day been provided a copy of this Affidavit and hereby acknowledge receipt thereof.



SPENSER H. SMITH
Assistant Solicitor, Seventh Judicial Circuit

SWORN to before me this 29 day of July, 2024.



Notary Public for South Carolina
My Commission Expires: 5-19-32

ATTACHMENT “A”

ATTACHMENT “B”

