

RECEIVED

OCT 31 2024

S.C. SUPREME COURT

Exhibit (A) PS 1 of 2

1

Victim Clearer states he approached person who shot him. No way possible he got shot soon as he pulled up if he admits to a verable confrontation with person who shot him. Daughter also states she was at scene 20 or 30 minutes before shooting not soon as they pulled up.

TJ- yes sir, and I'm glad she ain't go in that back yard because her mom was supposed to pick her up and she got out the truck and walked away and everything I'm glad she was not in that yard, because this dude did not care, and you I'm going to keep it real you know how we do. He went and twist that gun like that after he shot me and he just emptying them in the yard. That is why I don't know how much uncle got hit and nobody else.

Inv- Where was you at when they first start shooting?

TJ- When I came right where the corner store, that first store right there by the U-Haul

Inv- Mhm....

TJ- I came back down went to pull up on the side, wasn't no shooting I ain't know nothing transpired

Inv- right

TJ- so when I pull to the left I went to get out the truth all I remember him saying is which on of y'all F my brother. I said bro I ain't got nothing to do with this and pop huh. I get shoot like this. And I'm laying on the ground I'm just looking there is nothing I can do

Inv- Okay I'm going make sure I got this. When you pulled up they came not even a minute later

TJ- It wasn't even a second later, like they said they know this truck but I ain't didn't nothing to them so how you know this truck or whatever. So I'm trying to understand this

Inv- So

TJ- Because you sitting right there and you came to shoot up something that don't got nothing to do with me and then I come to understand to do that cuz had done got in an altercation earlier in the day.

Inv- Mhm...

TJ- So they was fighting so my man was like he gonna get back. Okay would anybody like to let me know this right here? I wouldn't have been down here. So everything came to light today.

Inv- Okay and who was messing with his cousin

TJ- He said who was F'n with my brother so he shot me I wasn't even approaching him like that I just wanted to know what was going on I didn't know what was going on. I know this was my



TT- So we standing on the side of the road, so we seen a blue car that came on senate street it like on senate street, so we seen them jump out the car so we just sitting there watching them, they jump out the car talking junk running towards us so we look so we start walking towards the road because we thought they was coming back to fight, so once they start pulling they been had the guns out we thought they was coming to fight so we start walking to the road so when they start cocking it back and start shooting it towards us and then we just ran in the yard *

Inv- Okay was Trrell there with you or was he gone by that point?

TT- He was gone by that point

Inv- Were you there earlier in the day as well or is this, did you observe a fight or anything that happened. Let's go back to that. Tell me about the time you first got there, what happened.

TT- like I got there, I was like on the porch, so dude came up Trrell he was already talking to my cousin about his little girlfriend thing so somehow dude had got into their conversation some how so only thing I seen them

Inv- Do you know this dude?

TT- Yeah Malik

Inv- Where do you know him from?

TT- From Pinehurst

Inv- Okay, you know Malik last name?

TT- Nah

Inv- Have you seen news at all about this?... you have, have you seen the pictures on the news?

TT- no I ain't seen the pictures

Inv- Okay but you have seen the news?

TT- I seen when it first happened like when it first happened

Inv- When you say you know Malik from Pinehurst what do you mean?

TT- He used to come around to my uncle house and all I done played basketball with his brother, he used to always come around

Inv- Who is his brother?

TT- Horace

Inv- So you know Horace as well

witness: stated him and
Dominique started towards
us to fight when D and Cod
came back to location

COLUMBIA S.C. POLICE DEPARTMENT STATEMENT FORM

Date: 12 July 2014 Time: 10:55 pm Place: 1 Justice Sq

I am Jasmine Sims My birthday is July 21, 2001

My address and phone number are: 1005 Gonzalez Gardens (803) 863-8875

I am giving this statement concerning Shooting on Magnolia St to Inv. Pugh who has identified himself as City of Columbia

I was sitting on the porch and I heard gun shots coming towards the house but it was too close for me to me turn so I got on my knees in front of the car that was parked beside the house and I seen a boy turning in the car with a gun in his hand with a red light on it and I was looking at my uncle trying to run and he got shot in the chest and grabbed a and the boy shot again and shot him in the head and then he fell from he shot at the car I was in front of and ran off. (The boy looked at my uncle at he shot him and he shot him again)

Q: Do you know who this boy is.

A: ~~Not sure~~ Not sure

Sworn and subscribed to me this 12 day of July 20 14

NOTARY PUBLIC OF SOUTH CAROLINA MY COMMISSION EXPIRES: 15 Nov 2016

/s/ Jasmine Sims

/s/ Jasmine Sims

Jasmine Sims (Julie Hinton) received a copy of this statement consisting of 2 pages

from Inv. Pugh /s/ [Signature]

COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT CONTINUATION

Q. Was Horace the one with the Gun.

A: YES

Q. Was Horace the person you seen shooting at your uncle!

A: YES

Q. Was there anyone else with him when he (Horace) was shooting

A: YES

Q: Who was with Horace when he was shooting.

A: HIS BROTHER (MALIK)

Q: Was Malik shooting at your uncle.

A: NO

Sworn and subscribed to me this
12 day of July 2014

NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: 15 Nov 2016

ISI / Jasmine Sims

ISI / Jasmine Sims

Jasmine Sims (Julie Hintian) received a copy of this statement consisting of 2 pages

from Inv. Pugh ISI / [Signature]

1 THE COURT: Yes, ma'am.

2 MS. GARFIELD: Thank you, Ms. Sims. Answer any
3 questions that the Defense counsel may have for you, okay?

4 THE WITNESS: Okay.

5 THE COURT: Cross?

6 MS. WALKER: Thank you, Your Honor.

7 CROSS-EXAMINATION

8 BY MS. WALKER:

9 Q All right. Hey, Ms. Sims, how are you?

10 A Hey.

11 Q I'm sorry to have to go over this again. I may have
12 missed a couple of words. You said that you blacked out.

13 Did you mean you actually physically passed out?

14 A No, ma'am.

15 Q Did you get weak from being so hot or am I
16 misunderstanding?

17 A I just didn't hear nothing.

18 Q Okay. So you just kind of weren't paying attention?

19 A Yes, ma'am.

20 Q Is that more like what it was?

21 A Yes, ma'am.

22 Q You kind of had your head down just relaxing, is that
23 accurate?

24 A Yes, ma'am.

25 Q Okay. And how many people do you think were at this

Victim T. Johnson stated he pulled and soon as he did
he got shot with his daughter. Daughter clearly
states in exhibit B (1),(2) that she was sitting
on the porch when it happened.

Exhibit (C)

15

Pg 1 of 3

Incident Detail Report

Data Source: Data Warehouse
 Incident Status: Closed
 Incident number: 193CPD12588
 Incident Date: 7/12/2014 20:40:54
 Last Updated: 7/13/2014 15:00:32

Incident Information

Incident Type:	2 Unit Response & Supervisor	Alarm Level:	
Priority:	P0	Problem:	Shooting Hit
Determinant:		Agency:	CPD
Base Response#:		Jurisdiction:	CPD
Confirmation#:		Division:	Metro
Taken By:	Samuels, Keith M	Battalion:	Metro
Response Area:	CPD 270 316	Response Plan:	Metro 2PD,1SUP
Disposition:	Clear Incident Report (C5I)	Command Ch:	
Cancel Reason:	CPD Call Completed (CC)	Primary TAC:	
Incident Status:	Closed	Secondary TAC:	
Certification:		Delay Reason (if any):	
Longitude:	81009758	Latitude:	34021103

Incident Location

Location Name:		County:	RICHLAND
Address:	2723 MAGNOLIA ST	Location Type:	
Apartment:		Cross Street:	CENTER ST/ERVIN ST
Building:		Map Reference:	26F3
City, State, Zip:	COLUMBIA SC 29204		

Call Receipt

Caller Name:	8036028758	Call Back Phone:	
Method Received:	YES	Caller Location:	
Caller Type:			

Time Stamps

Description	Date	Time	User	Elapsed Times Description	Time
Phone Pickup	7/12/2014	20:40:51			
1st Key Stroke	7/12/2014	20:40:53		Received to In Queue	00:00:38
In Waiting Queue	7/12/2014	20:41:32		Call Taking	00:03:14
Call Taking Complete	7/12/2014	20:44:08	Samuels, Keith M	In Queue to 1st Assign	00:00:22
1st Unit Assigned	7/12/2014	20:41:54		Call Received to 1st Assign	00:01:03
1st Unit Enroute	7/12/2014	20:43:00		Assigned to 1st Enroute	00:01:06
1st Unit Arrived	7/12/2014	20:44:36		Enroute to 1st Arrived	00:01:36
Closed	7/13/2014	01:50:42	Rowland, Ladonna	Incident Duration	05:09:51

Resources Assigned

Unit	Assigned	Disposition	Enroute	Staged	Arrived	At Patient	Delay Avail	Complete	Odm. Enroute	Odm. Arrived	Cancel Reason
C270	20:41:54		20:43:00		20:44:36			00:17:04			
C278	20:43:31	Clear Incident Report (C5I)	20:43:46		21:00:45			00:48:23	-1.0	-1.0	CPD Call Completed (CC)
C271	20:43:42	Clear Backup (C11)	20:43:57		20:46:19			00:30:18	-1.0	-1.0	
C978	20:43:55		20:44:07		20:54:07			22:57:30			
C844	20:48:37	Clear Incident Report (C5I)	20:48:42		20:55:23			01:50:42			CPD Call Completed (CC)
C394	20:48:41		20:48:41		20:55:30			22:06:13	-1.0	-1.0	
C381	20:48:42		20:48:41		22:56:52			22:56:58	-1.0	-1.0	
C171	20:49:09	Clear No Report Taken (C8)	20:49:25		21:00:43			21:46:57	-1.0	-1.0	Reassigned (CR)
C172	20:49:23		20:49:27		21:06:32			21:21:26	-1.0	-1.0	
C372	20:50:11		20:50:11		20:55:03			23:00:39			
C103	20:50:22	Clear No Report Taken (C8)			20:50:28			21:47:08		-1.0	Reassigned (CR)
C180	20:50:34				20:50:39			23:44:38		-1.0	
C375	20:52:53		20:52:50		20:55:09			21:42:39	-1.0	-1.0	
C379	20:53:13		20:53:13		21:32:16			22:25:20			
C176	20:53:39		20:53:42		21:06:35			23:15:36	-1.0	-1.0	
C170	20:56:23				20:56:26			01:24:57		-1.0	
C919	20:56:35	Clear No	20:56:34					21:25:14	-1.0		Reassigned (CR)

Exhibit (C) (4)

pg 2 of 3

C273	20:57:33	Report Taken (C8)	20:57:35	01:50:42	-1.0	CPD Call Completed (CC)
C385	20:57:37	Clear Incident Report (C5I)	20:57:37	21:06:39	-1.0	Reassigned (CR)
C275	20:57:41	Report Taken (C8)	20:57:43	00:15:34	-1.0	CPD Call Completed (CC)
C357	20:59:52	Clear Backup (C11)	20:59:52	21:05:40	-1.0	-1.0
C351	20:59:53	Clear Backup (C11)	20:59:52	21:32:11	21:38:04	
C360	21:01:07	Clear No	21:01:07	21:01:44	21:39:55	-1.0 -1.0
C384	21:01:07	Clear No	21:01:07	21:07:47	-1.0	Reassigned (CR)
C574	21:05:55	Report Taken (C8)	21:05:54	21:32:18	22:50:53	-1.0 -1.0
C282	21:15:17			21:15:21	22:37:56	-1.0
C351	21:38:43	Clear Incident Report (C5I)	21:38:43	21:38:47	01:50:42	CPD Call Completed (CC)
C360	21:44:18		21:44:17	21:44:17	01:00:55	-1.0 -1.0
C272	21:44:36		21:44:38	22:10:29	22:10:33	
C818	21:55:13	Clear Incident Report (C5I)	21:55:13	21:55:13	01:50:42	CPD Call Completed (CC)

Personnel Assigned

Unit	Name
C270	Moody, Erskine (20856) - Officer
C278	Hellman, David (23540)
C271	Sexton, Nicholas (22330)
C978	Fitzpatrick, James (23340) - Police
C394	Pollard, Dustin (22557)
C381	Viehweg, Anthony (22231)
C171	Scott, William J. (12697) - MPO; Wells, William (23565)
C172	Alexander, Sharon D. (21751) - Officer
C103	Gilliam, Ivey L. (11735) - Sergeant
C180	Anderson, Antonio (23327) - Police
C375	Sutton, Brian (23442)
C176	Blackwell, Christopher (22234)
C170	Fehr, Robert J. (21589) - Officer
C919	Brinson, Allen (22832)
C273	Birochak, Ivan (23152)
C385	Marceleno, Meagan (23037)
C275	Williams, Dustin (23282)
C357	Henry, Robert M. (23488)
C360	Halpern, Zachary (23231) - Police
C384	Beattie, William (22927)
C282	Robison, Catherine (22998)
C360	Halpern, Zachary (23231) - Police
C272	Fitzgerald, Allison (23268)

Pre-Scheduled information
No Pre-Scheduled Information

Transports
No Transports Information

Transport Legs
No Transports Information

Comments

Date	Time	User	Type	Conf.	Comments
7/12/2014	20:41:33	KMS	Response		Multi-Agency RCEMS Incident #: 001094503
7/12/2014	20:41:35	KMS	Response		Updated SOP information is available [Shared]
7/12/2014	20:41:47	WL	Response		Automatic Case Number(s) issued for RCEMS: 001067472. [Shared]
7/12/2014	20:41:59	KMS	Response		CALLER STS SOMEONE SHOT HER UNCLE// CALLER WOULD NOT ANSWER FURTHER QUESETIONS// DISCONNECTED// ATTEMPTING CALL BACK// [Shared]
7/12/2014	20:42:12	SPB	Response		COMPL NAME JESSICA [Shared]
7/12/2014	20:42:12	WL	Response		Duplicate call of incident number 001094504 [Shared]
7/12/2014	20:42:17	AEK	Response		Duplicate call appended to incident at 20:42:17 [Shared]
7/12/2014	20:42:22	SPB	Response		803-528-7328 [Shared]
7/12/2014	20:42:24	KMS	Response		GAVE ADDRESS OF 3222 MAGNOLIA// ADDRESS WOULD NOT

← First calls about incident

Exhibit (C)(1) ~~019~~
Pg 3 of 3

7/12/2014	20:42:26	SPB	Response	VALIDATE// [Shared]
7/12/2014	20:42:30	SPB	Response	STATES SHE LEFT [Shared]
7/12/2014	20:42:33	AEK	Response	THE LOCATION [Shared]
7/12/2014	20:42:46	AEK	Response	2709 MAGNOLIA STREET// SOMEONE SHOT AT LOC [Shared]
7/12/2014	20:42:51	TL	Response	803-602-8112// FEMALE CALLER [Shared]
7/12/2014	20:42:53	SPB	Response	ADDRESS 2723 MAGNOLIA// SHOT IN THE BACK [Shared]
7/12/2014	20:43:06	LTS	Response	STATES THAT ALTERCATION OVER A GIRL [Shared]
7/12/2014	20:43:15	WL	Response	Automatic Case Number(s) issued for CFD: 14-0019609. [Shared]
7/12/2014	20:43:19	WL	Response	HAD A FEMALE ON THE LINE SCREAMING SOMETHING I COULDN'T UNDERSTAND - 803-602-8112 [Shared]
7/12/2014	20:43:42	AEK	Response	ATTEMPTED TO CALL BACK UNABLE [Shared]
7/12/2014	20:44:02	AEK	Response	CALLER UNCLE IS SHOT // HE IS OUTSIDE [Shared]
7/12/2014	20:44:03	CFR	Response	CALLER STS THAT HER UNCLE IS DEAD [Shared]
7/12/2014	20:44:27	AEK	Response	HAD ANOTHER CALLER SARAH YOUNG STS SHOOTING A BUNCH OF SUBJS OUT NO DESC CALLED FROM 803-771-4976 2900 MAGNOLIA// NO CONT [Shared]
7/12/2014	20:44:52	AEK	Response	2 PEOPLE GOT SHOT //ONE DEAD [Shared]
7/12/2014	20:45:07	TMB	Response	ONE MALE COVERED IN BLOOD // [Shared]
7/12/2014	20:45:09	AEK	Response	10-88 [Shared]
7/12/2014	20:45:23	TMB	Response	CALLER STS OFFICERS AT LOC// DISCONNECTED CALL// [Shared]
7/12/2014	20:45:33	JEA	Response	1 UNIT ON MAGNOLIA [Shared]
7/12/2014	20:45:48	AAG	Response	SPOKE TO A FEMALE WHO STS MALE IS NOT BREATHING// COMP WAS TO EMOTIONAL COULD NOT GET HER TO PREFORM CPR [Shared]
7/12/2014	20:45:51	TL	Response	USCPD CALLED TO GET ADDRESS GIVEN [Shared]
7/12/2014	20:46:01	TL	Response	<u>DOMINIQUE DIAZ STATES ALSO FIGHT IN PROGRESS 803-361-8904 [Shared]</u>
7/12/2014	20:46:05	TMB	Response	<u>AND SHOOTING IN THE AREA [Shared]</u>
7/12/2014	20:47:03	TMB	Response	10-3 [Shared]
7/12/2014	20:47:10	TMB	Response	Incident linked to [CPD] [193CPD12601]
7/12/2014	20:47:19	TMB	Response	Incident linked to [CPD] [193CPD12592]
7/12/2014	20:47:27	LTS	Response	Incident linked to [CPD] [193CPD12583]
7/12/2014	20:47:31	TMB	Response	PER E1 WILL BE STAGEING [Shared]
7/12/2014	20:47:37	WL	Response	Incident linked to [CPD] [193CPD12582]
7/12/2014	20:47:44	SSM	Response	PER S311 1 GSW [Shared]
7/12/2014	20:47:58	WL	Response	FEMALE STS MALE 75H SHE NOT INVOL/ STS SHE SEE FIRST REPENDERS / JOY REESE 803-521-0374 [Shared]
7/12/2014	20:48:02	WL	Response	PER S310 2 GSW'S [Shared]
7/12/2014	20:48:42	GRM	Response	TO THE HEAD [Shared]
7/12/2014	20:50:11	GRM	Response	Backed up C978 with C394,C381 [Shared]
7/12/2014	20:50:20	WL	Response	Backed up C978 with C372 [Shared]
7/12/2014	20:51:19	WL	Response	Duplicate call of incident number 001094507 [Shared]
7/12/2014	20:51:25	WL	Response	Duplicate call of incident number 001094508 [Shared]
7/12/2014	20:51:52	TMB	Response	Duplicate call of incident number 001094509 [Shared]
7/12/2014	20:52:00	GRM	Response	2 SUBJ GOING TOWARDS PINEHURST [Shared]
7/12/2014	20:52:38	TMB	Response	B/M SUBS RUNNING TOWARD PINEHURST [Shared]
7/12/2014	20:52:53	GRM	Response	HAS A POSSIBLE SUBJ [Shared]
7/12/2014	20:53:13	GRM	Response	Backed up C372 with C375 [Shared]
7/12/2014	20:53:27	TMB	Response	Backed up C372 with C379 [Shared]
7/12/2014	20:54:19	JEA	Response	LAST KNOWN LOC CHESTNUT AND LITTLE [Shared]
7/12/2014	20:54:24	JEA	Response	[CPD] has closed their incident [193CPD12601]
7/12/2014	20:54:31	JEA	Response	[CPD] has closed their incident [193CPD12583]
7/12/2014	20:54:37	JEA	Response	[CPD] has closed their incident [193CPD12592]
7/12/2014	20:56:35	GRM	Response	[CPD] has closed their incident [193CPD12582]
7/12/2014	20:56:36	TMB	Response	Backed up C844 with C919 [Shared]
7/12/2014	20:57:23	TMB	Response	MALIC DAVIS SUSPECT AND THE OTHER GOES BYHORSE POSSIBLE LIVES IN MAGNOLIA [Shared]
7/12/2014	20:57:38	GRM	Response	SUSPECT IN EARLY 20'S [Shared]
7/12/2014	20:58:00	MRC	Response	Backed up C375 with C385 [Shared]
7/12/2014	20:59:54	GRM	Response	S211 3/83 [Shared]
7/12/2014	21:01:08	GRM	Response	Backed up C273 with C357,C351 [Shared]
7/12/2014	21:02:25	TMB	Response	Backed up C375 with C360,C384 [Shared]
7/12/2014	21:03:01	LTS	Response	K-9 ON GROUND [Shared]
7/12/2014	21:03:02	LTS	Response	[CFD] has closed their incident []
7/12/2014	21:04:23	GRM	Response	E1 ,SCENE TURNED OVER TO CPD [Shared]
7/12/2014	21:05:55	GRM	Response	CPD OFF MEDDER ADV [Shared]
7/12/2014	21:07:37	MRC	Response	Backed up C360 with C574 [Shared]
7/12/2014	21:09:16	GRM	Response	K9 TRACKING ON LITTLE AND CHESTNUT ST [Shared]
7/12/2014	21:12:08	MRC	Response	Secondary Location for C381: RMH DAYCARE, 20 RICHLAND MEDICAL PARK DR,COLUMBIA, SC 29203. [Shared]
7/12/2014	21:16:27	KMS	Response	K-9 CHECKING BEHIND 2203 MERCER ST [Shared]
7/12/2014	21:22:46	WL	Response	Requested Case Number(s) issued for CPD: 140019459. [Shared]
				[RCEMS] has closed their incident []


*States fight in process also shooting in area. This is 4 minutes after the initial called about shooting.
D and COD was approached by mob of people*

SCHOOL AND IN THE COMMUNITY) THEN CAME INTO THE CONVERSATION AND STARTED TALKING ABOUT AN UNRELATED ISSUE (THIS WAS NEVER CLEARLY STATED WHAT IT WAS). HE STATED HE DIDN'T REALLY KNOW WHAT MALIK AS BRINGING UP. TARUS SAW A CROWD BEGIN TO GATHER AND THEN A FIGHT BROKE OUT. HE STATED HE THEN BEGAN TO REMOVE HIS BROTHER FROM THE ALTERCATION. HE STATED DURING HIS INTERVIEW THAT MULTIPLE PEOPLE HAD ASSAULTED MALIK AND HE COULD NOT DIRECTLY STATE WHO ALL WAS ASSAULTING HIM (AUDIO). THE FIGHTING STOPPED AND MALIK GOT UP FROM THE GROUND SMILING. TARUS SAID THAT HIS COUSIN DOMINIQUE TUCKER (18 – 21 YEARS OLD) HEARD MALIK TO SAY "TELL YOUR PEOPLE IM' A BE RIGHT BACK".

TAURUS THREATT STATED LATER HE WAS OUT ACROSS THE STREET IN FRONT OF THE INCIDENT LOCATION AND HE SAW A BLUE CAR PULL UP AND THEN HE SAW TWO MALES EXIT THE VEHICLE AND HE IMMEDIATELY IDENTIFIED THEM AS MALIK AND HORRACE (MALIK'S BROTHER WHO HE KNOWS FROM THE COMMUNITY). HE KNEW BOTH OF THEM BY NAME AND SIGHT FROM PREVIOUS KNOWLEDGE AND RELATIONSHIPS WITH THEM. HE STATED THAT THEY RAN TOWARDS THEM TALKING AS IF THEY WANTED TO FIGHT. HE AND DOMINIQUE INITIALLY WALKED OUT INTO THE STREET TO ENGAGE THEM IN A PHYSICAL ALTERCATION BUT NOTICED THAT THEY HAD GUNS AND WAS FIRING THEM AT THEM. THEY IMMEDIATELY RAN ON FOOT AND TARUS RAN TO THE REAR OF THE HOUSE AND EVENTUALLY INTO THE HOUSE FROM THE REAR. HE LOSTE DOMINIQUE AND DID NOT SEE HIM UNTIL AFTER THE SHOOTING INCIDENT INSIDE OF THE BACK YARD OF THE INCIDENT LOCATION. *

I ASKED HIM ABOUT IF HE SAW THE NEWS OR SAW THE PHOTOS POSTED BY NEWS MEDIA. HE INDICATED HE DID HEAR ABOUT THE PHOTOS BUT DIDN'T DIRECTLY SEE THEM; HOWEVER, HE KNEW EXACTLY WHO THE PERSONS WERE AT THE TIME OF THE INCIDENT. THIS IS DUE TO HIS PREVIOUS KNOWLEDGE OF BOTH OF THEM. HE KNEW THEM FROM THE KNOWLEDGE OF THEM FROM HIGH SCHOOL OR INSIDE OF THE COMMUNITY. HE ALSO KNEW MALIK AS THE PERSON INVOLVED IN THE FIGHT AT THE INCIDENT LOCATION MINUTES PRIOR AND THAT HORRACE WAS HIS BROTHER. HE ALSO PROVIDED INFORMATION THAT MALIK WAS INCARCERATED AS A JUVENILE.

HE BELIEVED THAT THE SHOOTING WAS ABOUT 15 – 20 MINUTES AFTER THE FIGHT AT THE INCIDENT LOCATION. HE DESCRIBED THE VEHICLE AS BLUE IN COLOR BUT UNABLE TO PROVIDE ANY DESCRIPTIVE INFORMATION TO INVESTIGATORS AT THE TIME OF THE INTERVIEW. HE ALSO WAS UNABLE TO PROVIDE ANY IDENTIFICATION INFORMATION ON THE DRIVER. HE DID INDICATED THAT THE TWO VICTIMS IN THE SHOOTING DID NOT HAVE ANYTHING TO DO WITH THE ALTERCATION AT ALL AS A PARTICIPANT AND HE WAS UNSURE IF ONE OF THE VICTIMS WAS ATTEMPTING TO BREAK UP THE ALTERCATION EARLIER. THIS VICTIM WAS WHO HE IDENTIFIED AS HIS UNCLE WHO IS THE DECEASED VICTIM.

Exhibit(E) 

1 of 6

**RICHLAND COUNTY PUBLIC DEFENDER
RICHLAND COUNTY JUDICIAL CENTER**

1701 MAIN STREET
POST OFFICE BOX 192
COLUMBIA, SC 29201

PHONE (803) 765-2592
FAX (803) 748-5018

October 4, 2024

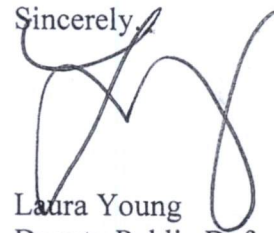
Newly discovered
evidence that was not
disclosed at original time
of discovery (2014)

Mr. Horace Watts #355244
Broad River Correctional Institute, Saluda 139
4460 Broad River Rd
Columbia Sc, 29210

Dear Mr. Watts,

Please find enclosed a copy of the discovery from your case file as you requested. Please let me know if you need anything else.

Sincerely,



Laura Young
Deputy Public Defender

Exhibit(E)

Pg 2 of

McCoy, Matthew D

From: Grant, John L
Sent: Sunday, July 13, 2014 5:58 PM
To: McCoy, Matthew D
Cc: Wade, Darrius
Subject: RE: UPDATED - WANTED BOLO - HOMICIDE - HORACE WATTS AND MALIK DAVIS - METRO AND NORTH REGIONS

Importance: High

McCoy

I received a phone call today regarding last night's homicide. I was told that this incident stemmed from the younger brother (Malik Davis') stealing a 9mm pistol last week from a group of individuals. Apparently, this same group saw Malik Davis last night as he rode a bicycle on Magnolia; this group commenced to assaulting Malik as he began to ride away. Malik then fired the same gun that was stolen and yelled for his brother. His brother then fired a .45 caliber pistol.

Horace has since contacted a relative of my source, and asked this person to ask what caliber is responsible for killing the victim. Horace said that if his round is not responsible for the murder, he will turn himself in...

Since the start of this email, I have received updated info that Horace and his brother are now together. They came by the same contact's residence that is located on Clarkson/Clark's road off of Garners Ferry Road. They have said their goodbyes and may be turning themselves in. It is unknown on what vehicle they are traveling inside.

MPO J.L. Grant
Columbia Police Department
#1 Justice Square
Columbia, S.C. 29201

From: McCoy, Matthew D
Sent: Sunday, July 13, 2014 3:22 PM
To: COC CPD Employees
Cc: Sharp, Debra
Subject: UPDATED - WANTED BOLO - HOMICIDE - HORACE WATTS AND MALIK DAVIS - METRO AND NORTH REGIONS

Update:

- 1) Malik Davis' confirmed date of birth is 12-23-1996. The bolo has been corrected to reflect the change.
- 2) Horace Watts may also be using the last name Watte, and has an SC ID issued with that name. Both last names are in NCIC. His correct last name is Watts, however.
- 3) We have new, credible information that Watts and Davis frequent the North Region area to include Bailey St, Ripplemeyer Ave, and the North Main Street area (including Colleton St and Randall Ave).

Please use extreme caution. Both subjects have a history of resisting the police and fleeing. They are still considered armed and dangerous.

Both individuals are wanted for the murder of Isaac Lewis on 07-12-2014 at 2723 Magnolia Street in Metro Region. Use caution, they are considered armed and dangerous. Their last known address is 2227 Waites Road, Apt. B in Columbia, SC. If contact is made, notify me immediately.

Exhibit (E)

BD

Pg 3 of 6

07/12/2014

On the above listed date, Officer G. Smith responded to 2723 Magnolia St., in reference to a murder. Upon arrival, Officer G. Smith observed sixteen pieces of evidence inside the taped off crime scene area, and a red in color substance outside in the driveway on the ground on the north west side of the incident location. Officer G. Smith collected from the scene,

- Item #1 on the north west end of the roadway, one 9mm spent Luger FC shell casing collected at 0033 hours, reference sketch for location.
- Item #2 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0034 hours, reference sketch for location.
- Item #3 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0034 hours, reference sketch for location.
- Item #4 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0035 hours, reference sketch for location.
- Item #5 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0035 hours, reference sketch for location.
- Item #6 on the north west end of the roadway, one 9mm Luger Tulammo spent shell casing, collected at 0036 hours, reference sketch for location.
- Item #7 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0036 hours, reference sketch for location.
- Item #8 on the north west end of the roadway, one 9mm spent Luger FC shell casing collected at 0037 hours, reference sketch for location.
- Item #9 on the north west end of the roadway, one 9mm spent Luger FC shell casing collected at 0037 hours, reference sketch for location.
- Item #10 on the north west end of the roadway, one 9mm spent Luger FC shell casing collected at 0038 hours, reference sketch for location.
- Item #11 on the north west end of the roadway, one 9mm spent Luger FC shell casing collected at 0038 hours, reference sketch for location.
- In the driveway on the north west side of the incident location near the roadway, were six additional spent shell casings.
- Item #12 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0039 hours, reference sketch for location.
- Item #13 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0040 hours, reference sketch for location.
- Item #14 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0040 hours, reference sketch for location.
- Item #15 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0041 hours, reference sketch for location.
- Item #16 on the north west end of the roadway, one .45 caliber auto federal spent shell casing, collected at 0041 hours, reference sketch for location.

where did the additional cases end up because no where in the case or trial they were mentioned or talked about in discovery or a trial but officer found that at scene after shooting

Exhibit (E)

(31)
pg 4 of 6

07/12/2014

Officer G. Potash responded to Palmetto Richland Hospital and collected:

- Item #1, one GSR kit from Johnson, Tyrone, black male D.O.B. 07/21/1970 collected at 2243.
- Item #2, one black nylon wallet collected at 2304 hours.
- Item #3, one Samsung cel phone, serial # R21D103ABJF, model # SGH-S125G collected at 2304 hours.

On 07/13/2014,

Officer G. Smith arrived at 2227 B Waites Rd. at 0404 hours in reference to a search warrant # S14-279 and collected from bedroom one on the north end of the residence,

Bedroom #1

- One pair of white in color shorts collected at 0415 hrs.
- Item #1, one gold in color mouth piece (grill) located on the floor beside the bed, collected at 0421 hours.
- Item #2, one gold in color mouth piece (grill) located on the top of a night stand, collected at 0422 hours, reference photographs for location.
- Item #3 one 9mm Luger Tulammo unfired cartridge located on a side shelf of the above listed night stand, collected at 0426 hours, reference photographs for location.
- Item #4 one box of twenty .45 caliber auto federal unfired cartridges located on the side shelf of the above listed night stand, reference photographs for location.

In bedroom #2, at 2227 B Waites Rd., Officer G. Smith collected,

- Item #1 one .45 caliber auto federal spent shell casing from under the bed next to a wall under a window on the east side of the room, collected at 0440 hours.
- Item #2 one .45 caliber auto federal spent shell casing from under the bed next to a wall under a window on the east side of the room, collected at 0440 hours.

07/13/2014

#1 Justice Square, Officer G. Smith observed a 2007 burgandy Ford Fusion, S.C tag JNQ 235 VIN: 3FAHP06ZX7R206396 search warrant #S14-282 with a small hole in the lower rear bumper, a hole inside the trunk in the spare tire compartment, under the spare tire, reference the photos taken for location, also in the spare tire compartment in the trunk under the spare tire was a projectile. Officer G. Smith collected,

- One projectile

07/16/2014

#1 justice Square, Officer G. Smith packaged and turned into evidence the following,

- one 9mm Luger FC spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one 9mm Luger Tulammo unfired cartridge
- one 9mm Luger Tulammo spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one 9mm Luger FC spent shell casing.
- one 9mm Luger FC spent shell casing.
- one 9mm Luger FC spent shell casing.
- one 9mm Luger FC spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- One pair of white in color shorts.
- Item #1, one projectile
- one GSR kit from Johnson, Tyrone
- one black nylon wallet
- one Samsung cel phone, serial # R21D103ABJF, model # SGH-S125G

after ~~the~~ additional
Shell casing not mentioned
Any where in this
report see PGS 3 thru 6

07/17/2014

Turned the following into sled, Lab #L14-08788

- one 9mm Luger FC spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one 9mm Luger Tulammo spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one 9mm Luger FC spent shell casing.
- one 9mm Luger FC spent shell casing.
- one 9mm Luger FC spent shell casing.
- one 9mm Luger FC spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.

Exhibit (E)

Pg ~~6078~~ E

(33)

- one .45 caliber auto federal spent shell casing.
- one .45 caliber auto federal spent shell casing.
- Item #1, one GSR kit from Johnson, Tyrone
- .45 caliber auto federal spent shell casing.
- .45 caliber auto federal spent shell casing.
- one 9mm Luger Tulammo unfired cartridge.
- Three projectile
- Two bullet fragments

Exhibit (F)

TYPE: MURDER

DATE/TIME: 07/12/2014 @ 2039

VICTIM: LEWIS, ISAAC

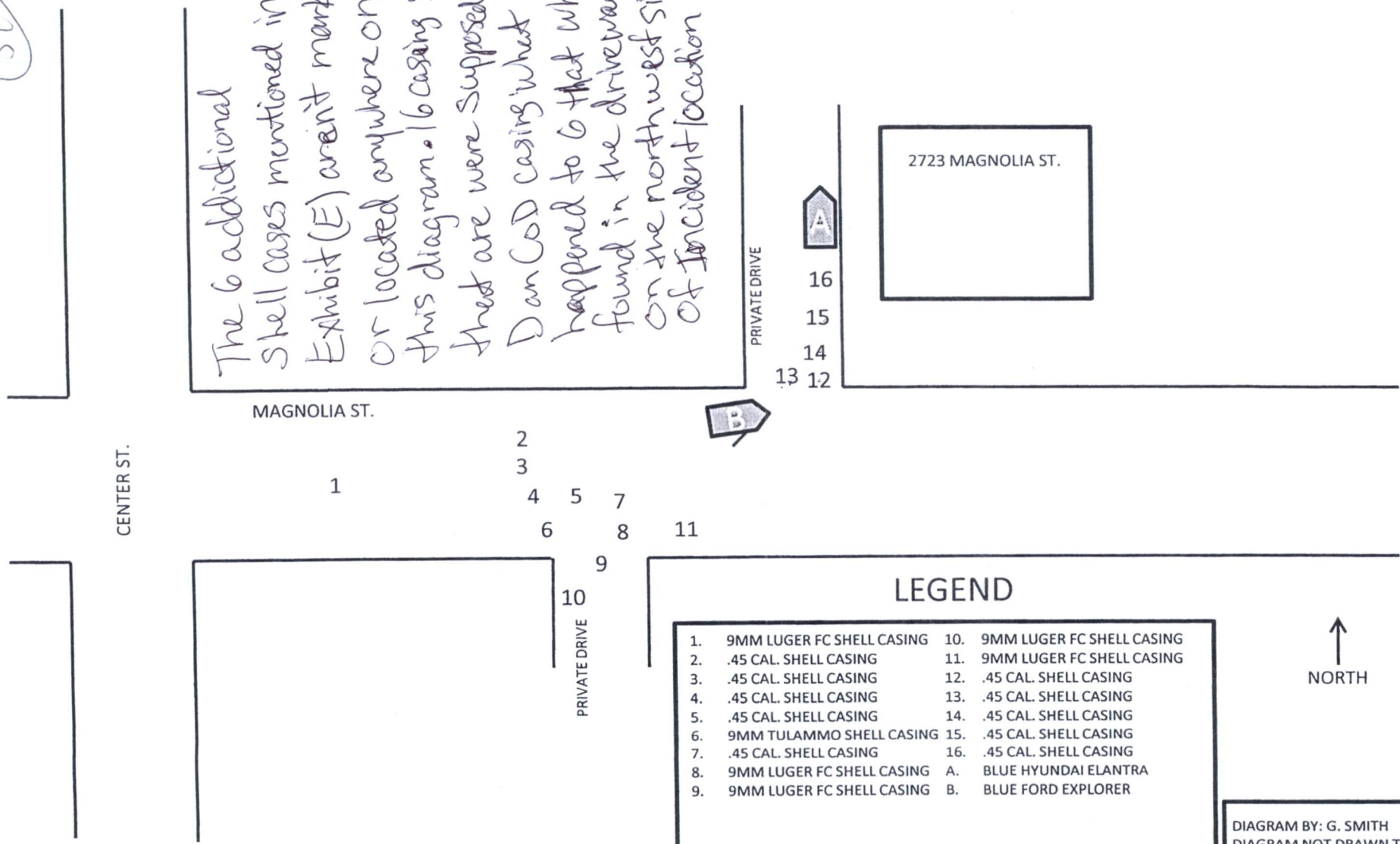
CASE#14-19459

LOCATION: 2723 MAGNOLIA ST.

INV/CSI: MCCOY/G. SMITH

(34)

The 6 additional shell cases mentioned in Exhibit (E) aren't marked or located anywhere on this diagram. 6 casing 5 that are were supposedly Don COD casing which happened to be that where found in the driveway on the north west side of incident location



LEGEND

1.	9MM LUGER FC SHELL CASING	10.	9MM LUGER FC SHELL CASING
2.	.45 CAL. SHELL CASING	11.	9MM LUGER FC SHELL CASING
3.	.45 CAL. SHELL CASING	12.	.45 CAL. SHELL CASING
4.	.45 CAL. SHELL CASING	13.	.45 CAL. SHELL CASING
5.	.45 CAL. SHELL CASING	14.	.45 CAL. SHELL CASING
6.	9MM TULAMMO SHELL CASING	15.	.45 CAL. SHELL CASING
7.	.45 CAL. SHELL CASING	16.	.45 CAL. SHELL CASING
8.	9MM LUGER FC SHELL CASING	A.	BLUE HYUNDAI ELANTRA
9.	9MM LUGER FC SHELL CASING	B.	BLUE FORD EXPLORER

DIAGRAM BY: G. SMITH
DIAGRAM NOT DRAWN TO SCALE

Exhibit(G)

(35)

OTHER EVIDENCE/MISCELLANEOUS LABORATORY NOTES

SLED LAB NO:	L14-08788	EXAMINER:	C. Smith
DATE STARTED:	8/25/16	DATE COMPLETED:	8/30/16
DATE OPENED:		DATE SEALED:	

RESULTS FOR ITEMS 20, 22, 23, & 24

Items 20, 22, 23, and 24 were physically and microscopically examined. From these examinations, it was concluded that:

- Items 20, 22, and 23 were most consistent with bullets loaded into some 45 Auto caliber cartridges.
- Due to damage and limited marks of value, Items 20, 22, and 23 may or may not be suitable for identification with a specific firearm or firearms (barrel or barrels). *and/or with another fired bullet(s).*
- Due to damage and its limited size, the caliber of Item 24 could not be determined.
- Striated marks were found on Item 24, but their origin could not be determined; therefore, Item 24 may or may not be suitable for identification with a specific firearm (barrel). *and/or with a bullet(s).*

Items 20, 22, 23, and 24 were microscopically compared with each other. The results of these comparisons were inconclusive due to damage and insufficient corresponding individual identifying characteristics. Items 20, 22, 23, and 24 could have been fired by the same firearm or more than one firearm.

"MICRO" VERIFIED: YES NO BY: [Signature] DATE: 8/29/16

This was produced and signed 2 years after the shooting (7-12-14) so it's no way possible I got this evidence during the original discovery when I was arrested.

COLUMBIA S.C. POLICE DEPARTMENT STATEMENT FORM

Date: 7-12-14 Time: 10:40 Place: 2638 two Notch Rd.

I am Benjamin Walker My birthday is 12-16-95

My address and phone number are: 65 Jagers Plz (803) 463-0371

I am giving this statement concerning Shooting @ Magnolia street 1 to Officer Bailey who has identified himself as investigator

Every body was outside and it was a family argument and three officers came out to check what was going on and everything was good everybody was fine when the police left Malike Davis (one of the shooters) came from the other end of Magnolia street and came and ask who was getting beat up, the boy who he ask was Terrell then he say gone this is between family and he got mad and started to fight the family broke it up and then Malik Davis left he said alright I'll be back to shoot he then go get his brother they come from the other end in all blacks on foot and like two houses before the muder they both started shooting Malik Davis and Horis they are brothers, they come in the yard with a beam on the gun aiming to shoot with baby's, kids, teens, and adults outside

Witness NEVER states He saw me shoot anybody

Sworn and subscribed to me this 12 day of July 20 14

NOTARY PUBLIC OF SOUTH CAROLINA MY COMMISSION EXPIRES: 15 Nov 2016

ISI Benjamin Walker

ISI Benjamin Walker

Benjamin Walker received a copy of this statement consisting of 2 pages from Inv. Pugh, ISI

COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT CONTINUATION

1) Who Had the Car?

Horis

2) Who started the fight?

Malike

3) How do you know both subjects?

I know Malik from school and pine Hurst and I met his brother like 3 years ago when he got out of jail

Sworn and subscribed to me this
12 day of July 2014
gjc
NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: _____

ISI Benjamin Walker

ISI Benjamin Walker

Benjamin Walker received a copy of this statement consisting of 2 pages
from Inv. Pugh ISI gjc

COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT FORM

Date: 07-12-2014 Time: 10:18pm Place: # 1 Justice Square
I am April Cleckley My birthday is 07-09-1973
My address and phone number are: 2723 Magnolia St. 297-2488
I am giving this statement concerning A shooting
to S. Mckean who has identified himself as Investigator

I April Cleckley today Date 07/12/2014 time 8:40
accident happen I was standing in my front
yard 2723 Magnolia St. Looking down street saw
two fellows running off center street coming
down Magnolia toward my house both running
firing arm directly in my yard shout at
my brother law he was face down on ground
and second victim shout down by truck both on
cautions. When I heard gun shout I got
to running toward my back yard to enter
into my back door. When I came out
my brother law was face down on his
stomach loosing a lot of blood on cautions.

Question - Mckean

Answer - Cleckley

Q Do you know the two men that you saw running down Magnolia?

A Two Brothers named MALIK and HORACE.

Sworn and subscribed to me this
12 day of July 20 14

/s/ April Cleckley

/s/ April Cleckley

NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: 06/01/2021

_____ received a copy of this statement consisting of _____ pages
from _____ /s/ April Cleckley

COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT CONTINUATION

- Q Did you see a gun? A NO but I heard it *
- Q How many shots did you hear?
A Around 12 maybe more.
- Q Can you describe the two subjects, MALIK + HORRACE?
A Both Black males in early twentys with dark clothing.
- Q When you saw MALIK + HORRACE approach what did you do?
A I ran into my backyard.
- Q Why did you run?
A I heard gunshots.
- Q Did you see who shot? *
A NO *
- Q How do you know MALIK + HORRACE?
A They were friends with my son Diquan Cleekley.
- Q Do you know MALIK + HORRACE's last names?
A NO

Witness never saw a gun
or anyone shoot but was allowed
to testify at trial that she
saw me murder victim

Sworn and subscribed to me this
12 day of July 2014
[Signature]
NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: Dec 1 2021

IS/ April Cleekley
IS/ April Cleekley

_____ received a copy of this statement consisting of _____ pages
from _____ IS/ April Cleekley

Dominique Tucker
COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT CONTINUATION

6) What did you see what type of Gun MALIK & HORACE had?

A) I don't know they was black it round like a 40 caliber

7) Did you see Malik & Horace shot their guns? *

A) no, I heard the gunshot I saw them running up to my family house and I ran inside *

7) Who did you see looking out the window of the white malik & Horace was shouting

A) little cousin Ferry Lewis JR,

8) Why was Malik mad or why did he come back over to you family residence

A) he told me somebody jump him ^{at} at my family house he told me tell them I got someone for them Malik just took off.

9) When you saw Malik and Horace running toward you family home what did you do?

A) I saw them get out a blue car at the corner of ERVINE I saw them with guns, I hollered run, run, then they go and I took off running toward the house

End of Statement

Sworn and subscribed to me this
12 day of July 20 14

NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: 16 Aug 2014

131

Dominique Tucker received a copy of this statement consisting of 2 pages
from Irv E. Gilliam

Inv- Hold on hold on. Sitting on the front porch uh huh

JL- we hear gun shots I hear my cousin window shatter after gun shots.

Inv- Okay, I'm writing now I gotta write. Okay you heard gunshots uh huh.

JL- then my cousins boyfriend was getting out the truck

Inv- Okay you hear the gunshots

JL- After the gunshots he was getting out the truck, I see him fall to the ground he done got hit. So after I ran to go help him off the ground Horace he pointed the gun at me before I really got to him, then he just ran past me and kept shooting in the back yard running to the backyard where everybody at. And shot my uncle. As soon as I turned my back I see my uncle drop to the ground, he ran past me shooting just kept shooting. *

Inv- Okay let me make sure I'm right now. Okay after you saw your cousin boyfriend get out the car you ran towards him

JL- to help him up because he was hit..... turn my back

Inv- Okay let me stop you. Okay you ran towards him Horace pointed the gun at you

JL- yup he pointed it at everybody really

Inv- Okay.... After he point the gun at you what you do then

JL- I ran picked Ty up.....

Inv- What is his name Ty?

JL- Ty, Tyrone

Inv- Okay

JL- I turned my back after I found out Ty was hit, and look and my Uncle Ike was hit in the chest and Horace been running back out the yard by the time I really seen everything, he was running back out the yard, and they ran back down Magnolia and turned on Irvin and hit chestnut *

Inv- Okay I turned my back okay I turned my back and to see he was hit and they and when you say he was hit you talking about Ty.

JL- Ty

witness clearly states he didn't "Actually" see me shoot uncle & he guess it was me cause I supposedly was the only one shooting

Inv- Okay he was hit and that is when he ran past you?

JL- He ran past me and my lady.

Inv- He ran to the back yard?

JL- mhm.... Shot my uncle Ike two times. I see when my uncle grab his chest but after I turned back at Ty he was already down bleeding out the mouth and everything.

Inv- What is your uncle name?

JL- Uncle Isaac his name Isaac Lewis. I ran and check his pulse he was already gone.


Inv- Okay he ran this before I look he ran behind me and you heard a couple shots?

JL- yeah he shot like 3 or 4 times.

Inv- Okay

JL- Bang, bang, bang, bang. Yeah 4 times.

Inv- Okay when you say you heard 4 gun shots did you see him stand over shooting.

JL- Yeah I seen him when he ran past me he was still shooting. So when I turned my back to see him he was still shooting then when I lift Ty up I turn back he was running out the yard and I see my uncle on the ground. He was the only person standing behind me shooting. I seen when he was shooting it's just the fact that I ain't seen, like I seen when he shot but my Uncle Ike drop  he was running out he yard

Inv- Okay

JL- So I know it was him he the only one that came in the yard, Malik was still running. He killed my uncle man. Nice guy

Inv- He the only one back there with your uncle at that time right.

JL- Mhm... shooting constantly like he was running in the yard shooting. He said y'all jump my brother. Who is y'all it was just them two busting at everybody. And when he went in that back yard my Uncle Ike was coming around the corner and he shot him

Inv- Alright and when you saw that okay. Malik just got and ran down the road

JL- Malik was clutching the whole; he was holding his gun the whole time. I don't know if he was putting it back cause he kept trying to put shit in his pocket I mean his waist while his

once again didn't ⁸
actually see ~~the~~ shoot victim but was
allowed to testify I killed someone

Exhibit (L)

(45)
Pg 1 of 2

DC- I went to school with Malik, me and him was homeboys

Inv- uh huh

DC- We ain't grow up together but we was close we was tight. But I ain't expect nothing out of it, I ain't expect this out of neither one of them.

Inv- Mhm...

DC- Neither one of them because we was just that cool

Inv- Right

DC- inaudible

Inv- Okay you said you saw

DC- Horace and Malik

Inv- Okay now you said you were in the house

DC- Yes ma'am

Inv- You looked out the window you said? *

DC- yes the kitchen window

Inv- Do you know what Malik was wearing and what Horace was wearing?

DC- I think Malik had on a black shirt with some khaki shorts I think. I seen Horace face cause the bushes was covering his body but I seen his face so I couldn't really see what he had on *

Inv- Did you see him with the gun in hand? *

DC- Yes both of them

Inv- Okay do you know what kind of gun it was? *

DC- No ma'am

Inv- You can't describe the gun at all? *

DC- no

Witness never
Saw or admitted
to police he saw
me kill anyone but
was allowed to testify
that I killed someone.

Exhibit (L)

(42)

PG 2 of 2

Inv- Okay and you say you saw your uncle

DC- as soon as I look out the window I hear pow pow and I see uncle falling *

Inv- Okay do you know what started this thing off you said you wasn't out there?

DC- Yeah I wasn't out there but from when I heard it must have started when he and my cousin was fighting and he must not have liked when my cousin got the best of him

Inv- Mhm...

DC- So they came back and did that

Inv- Has he done this before, have y'all had beef with him before

DC- No, no type of beef no nothing we was cool, Horace was just in my yard earlier that day. We was cool we was cool I ain't see Malik none that day until that happened. Horace was just chillin with me like he was just chillin with me

Inv- So Horace got into a fight or Malik

DC- No Malik

Inv- Okay

DC- He the youngest, Horace the oldest. Horace would always come down and see me like I say like almost every day like he don't see me he might miss a day or two if he don't see me every day he come to see me every day like he look at me as his littler bother I never think they would do something like that, never.

Inv- Y'all hang out

DC- We hang out daily like

Inv- Wow

DC- Once it was me and his brother hanging out 24/7 then Malik stop coming around then Horace start coming around then me and Horace was like that

Inv- And you didn't see anything else after that, did you see the other one get shot?

DC- No I ain't see him get shot

Inv- And who was that?

Exhibit (M)

Tyrone Johnson Interview 7-14-14 Pt. 1 Inv. Gilliam

Investigator Gilliam = Inv

Tyrone Johnson = TJ

Inv- Today's date is July 14, 2014 time now is 4:22 PM I am up here interviewing Mr. Tyrone Johnson date of birth of 7/21/1970 address 1505 Garden Plaza apartment 7E Columbia South Carolina. In reference to the shooting that happened on Magnolia Street on 7/12/2014. Mr. Johnson can you tell me what happened?

TJ- I came from going on Magnolia going from the store, I pull up in the yard and next thing I know I just open the door and don't know what is going on and dude start shooting and he shot me and he was aiming the gun and start shooting at other people in the back yard so I still ain't know what went on. All I know is I got shot so I went down so next thing I remember the ambulance was out there and somebody was picking me up and saying he been shot he been shot and they say my Uncle Ike had done got killed. They say he went in the backyard looked at my Uncle Ike and he pointed the gun like this and shot him straight in his head that is what killed.

Inv- do you know who shot you? *

TJ- Dude with a bunch of grill in his mouth, brown skin about like 27 years old *

Inv- so if we show you a photo line you will be able to pick him out of a photo line up *

TJ- Oh Yeah I will be able to pick him *

Inv- Okay I am going to show you a photo lineup in a minute. Alright second thing is I would like to get a written statement from you. Can you write a statement?

TJ- Alright I can write

Inv- You can write?

TJ- Yes sir

Inv- Alright I am going to fill this paperwork out right here and I kind want you to start about right here just tell what happened from this time from the time you pull up and the person that shot at you I am going to get a photo lineup ready

TJ- Inaudible

Inv- Just take you time and anything I need to ask you a question on I will ask you a question on.

Victim clearly picks

1

COO out of lineup as person who
Shot him