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JUL 09 2025

SC Court of Appeals

July 7, 2025

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: **State v. Marc Yasin Mckeiver**
APPELLANT'S AFFIDAVIT
Appellate Case No.: 2022-000324

Dear Ms. Kitchings:

I have enclosed a copy of Appellant's affidavit in support of the motion for a new trial.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

s/ Dayne Phillips

Dayne C. Phillips, Esq.
SC Bar No. 77712
(803) 807-0234

cc: **Marc Yasin Mckeiver**
Mark Farthing, Esq.

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I, Marc McKeiver, being duly sworn
and state the following:

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SG Court of Appeals

My name is Marc McKeiver, and I am the defendant in the above referenced criminal matter currently under appeal.

I make this affidavit in response to the court's request regarding the motion to hold appeal in abeyance based on newly discovered evidence.

Based on the newly discovered evidence, I was not aware that the confidential informant William Clark brought drugs to the residence for his sister Winter Bennett to hold at any time prior to or during trial nor did I post a picture of the pills.

The living witness Winter Bennett is mistaken in that part of her affidavit, as I was not aware of any such information that Ms. Clark gave her drugs to store in the home and later retrieve nor did I have knowledge of the confidential informant posting the pills that morning of the alleged control buy.

I became aware of this information when Ms. Bennett submitted her affidavit and my appeal lawyer mailed a copy to the institution.

I was not involved in the control buy and did not participate in any hand to hand drug transaction connected to the charge for which I was convicted.

The confidential informant William Clark regularly visited the residence and had access to it whenever he pleased.

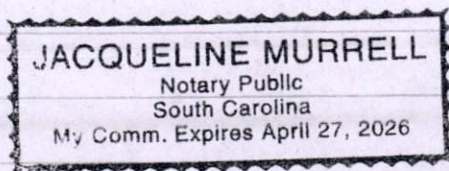
This was not unusual given our family history. I was in a relationship with Mr. Clark sister and we all lived together at various points through out our history.

His presence at the home did not raise concern and was unremarkable due to the long standing nature of our relationship.

I make this affidavit in good faith and request that the court consider it in support of the motion to hold the appeal in abeyance so that this newly discovered evidence may be fully evaluated.

I swear or affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Marc L. McKeiver
Marc Y. McKeiver



Jacqueline Murrell

Dayne Phillips, Attorney at Law
1614 Taylor Street, Suite D.
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