

Not every violation of the *Brady* duty necessarily establishes that the outcome was unjust. *Strickler v. Greene*, 527 U.S. 263 at 281 (1999). There is never a real *Brady* violation unless the nondisclosure was so serious that there is a reasonable probability that the suppressed evidence would have produced a different verdict. *Id.*, at 281. The question is not whether the defendant would more likely than not have received a different verdict with the suppressed evidence, but whether in its absence he received a fair trial, understood as a trial resulting in a verdict worthy of confidence. *Strickler* citing *Kyles v. Whitley*, 514 U.S. 419 (1995). *Brady* only requires disclosure of evidence which is both favorable to the accused *and* material to guilt or punishment. *State v. Taylor*, 333 S.C. 159 (1998) citing *Bagley*.

The Defense argued that Darnell Brown is entitled to a new trial because Detective Woods testified at trial that he checked the Charleston Heights Motel records for the names of the other individuals that were present at Barnwell Avenue with the Defendant on the evening of June 25, 2022, and that this information was not disclosed to the defense. The Defense argued they would have used a different trial strategy had they known Detective Woods checked the names of the five other individuals at Barnwell through the motel cards, stating that they would have examined witnesses differently. The Defense also made arguments for a new trial based on violations of due process and Rule 5. The Defense relied on the holdings in *State v. Lawton*, 382 S.C. 122 (2009) and *Early v. State*, 418 S.C. 255 (2016) where undisclosed evidence, favorable to the State, was grounds for relief.

The State argued that the fact that Detective Woods checked the records for the other names was not favorable to the Defendant because it showed that Detective Woods conducted a complete investigation. The State further argued under *Strickler*, in which the United States Supreme Court determined that it does not matter if the suppression is or is not willful, rather, it only cares that

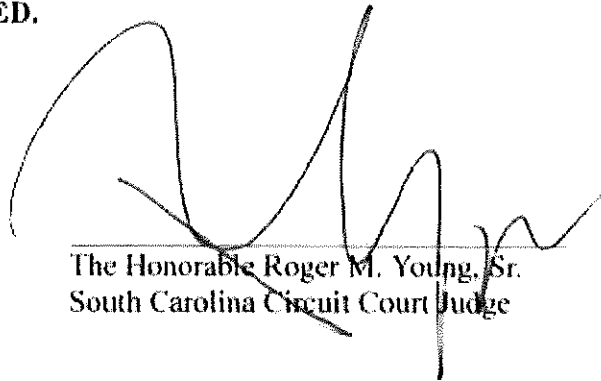
A handwritten signature in black ink, appearing to be the initials 'R' followed by a stylized flourish.

the evidence was suppressed before and during trial. In this case, the evidence was not suppressed during trial as the Defense impeached Detective Woods in regard to this specific detail being left out of his report. The State further argued that if the fact was known to the State, it would have elicited it over and over again as the testimony shows Woods conducted a thorough investigation, while his report writing was less than thorough in this instance. Lastly, the State argued under *State v. Adams* that pure impeachment evidence can never justify granting a new trial. 430 S.C. 420, (Ct. App. 2020). Simply, the State's argument was that the evidence was not favorable to the accused, and the Detective was impeached on the matter.

After hearing from the Defendant and the State, the Court finds it appropriate, and it is therefore **ORDERED, ADJUDGED, and DECREED**, that:

The Motion for a New Trial is DENIED.

AND IT IS SO ORDERED!



The Honorable Roger M. Young, Sr.
South Carolina Circuit Court Judge

Charleston, South Carolina

This _____ day of 2/9, 2026.

FILED
2026 FEB -9 PM 1:48
JULIE J. ARMSTRONG
CLERK OF COURT
BY JK