

STATE OF SOUTH CAROLINA )  
COUNTY OF ANDERSON )

IN THE COURT OF GENERAL SESSIONS  
TENTH JUDICIAL CIRCUIT

The State of South Carolina )

Ind. #: 2024GS0401710

STAND YOUR GROUND HEARING

vs. )

ORDER DENYING IMMUNITY

Andreana Shanice Ware )  
Defendant. )

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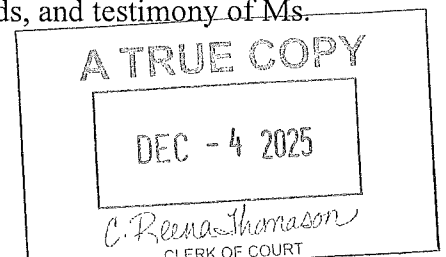
SC Court of Appeals

THIS MATTER came before the Court on September 17, 2025, for a hearing on the Defendant's Motion for Immunity and Dismissal pursuant to S.C. Code § 16-11-410, *et seq.*, more commonly known as the South Carolina Protection of Persons and Property Act. The Defendant, Andreana Shanice Ware (hereinafter "defendant"), was present and represented by defense counsel Don Smith. Sr. Assistant Solicitor Derek Polsinello appeared on behalf of the State. The State called witnesses and entered evidence as exhibits. The Defense did the same. At the conclusion of the hearing on September 18, 2025, the Court heard oral arguments by both sides as to why immunity should and should not be denied pursuant to relevant case law and S.C. Code § 16-11-410, *et seq.* The Court took this matter under advisement and requested each side to submit a legal brief within 10 days of the hearing. The Court received legal briefs from both sides.

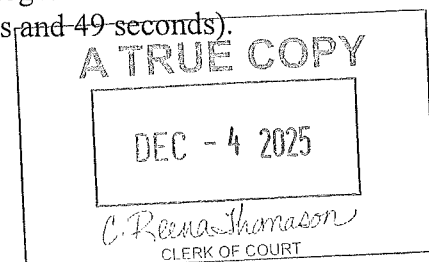
After considering the testimony presented and the arguments of both sides, the Court hereby finds that the Defendant failed to prove by a preponderance of the evidence that she is entitled to immunity pursuant to S.C. Code § 16-11-410, *et seq.*, Based on the testimony and evidence presented during the hearing, and after weighing the credibility of all witnesses, this Court finds the following;

FACTS

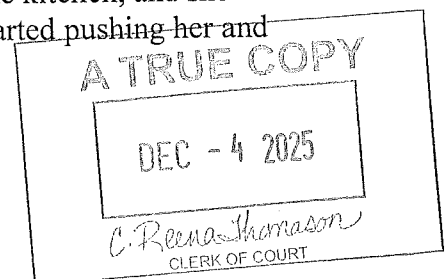
1. Defendant and Keenen Turman (hereinafter "victim") were live-in girlfriend/boyfriend and were in an "on-and-off" relationship. They were not married and had no children in common. At the time of the murder, they were boyfriend and girlfriend (defendant 911 call at 39 seconds, defendant interview at 24 mins and 40 seconds, and testimony of Ms. St. John).



2. The victim is not significantly larger than the defendant. The victim was 5 feet 11, 140-ish pounds (testimony of Ms. St. John). Defendant is close to the same height and weight as the victim.
3. The defendant and victim had a volatile, or “toxic” relationship.
4. The defendant had been violent with the victim in the past, and vice versa.
5. On the day of the murder, the defendant said that the victim had threatened her over text messages; however, no threatening messages were found on the defendant’s phone.
6. The victim stole the defendant’s phone a few days before the altercation (defendant interview at 34 minutes 15 seconds).
7. The victim bought the defendant’s daughter an electric scooter days before the altercation (defendant interview at 35 minutes 5 seconds).
8. Defendant stated that the victim “got put out of his house,” and she was letting him stay at her house (defendant interview at 31 minutes 30 seconds).
9. Defendant stated that the victim had “his side of the bed” (defendant interview at 31 minutes 15 seconds).
10. Defendant stated that the victim “felt like the house was his” (defendant interview).
11. Both the defendant and the victim shared a keypad code, 3211, to the house (defendant interview at 32 minutes). They both had been using the same code (defendant interview at 1 hour 12 minutes).
12. A day before the murder, the victim left a voicemail on Kelsey St. John’s phone. The phone recording an argument between the defendant and the victim. In the recording, you can hear the victim state, “stop taking that gun through the apartment” (State exhibit 4 at 1 minutes and 31 seconds).
13. A day before the murder, according to testifying witness Jasmine Jones, the defendant told Ms. Jones. “I am ready to crash out.” The defendant told her that she was going to kill herself or somebody else. Ms. Jones was very concerned about the apparent instability of the defendant (testimony of Jasmine Jones).
14. According to Det. Novak, the street term “crash out” is synonymous with doing something reckless so as to hurt yourself or someone else. (testimony of Det. Novak).
15. The night prior to the murder, the defendant and the victim slept together in the same bed. “everything was good.” (defendant interview at 1 hour 44 minutes and 49 seconds).

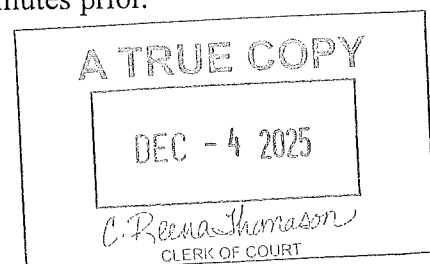


16. On February 3, 2024, the defendant and victim woke up together in bed around 9:00 AM EST, with the victim "kissing on the defendant" (defendant interview at 25 minutes 10 seconds).
17. Defendant and the victim then left the house together to buy dog food (defendant interview at 25 minutes 20 seconds).
18. Later in the day, when the victim was at 301 E Street alone, the defendant came back and brought the victim tacos because the defendant didn't want the victim to be hungry (defendant interview at 28 minutes 50 seconds, and 31 minutes 15 seconds).
19. When the defendant returned home at the end of the day, the defendant stated that she and the victim got into an argument because the victim was upset about the defendant being gone most of day. During this argument, the victim claimed that the house was also his home. The defendant claims that during this argument, the victim strangled her.
20. The victim left the residence after the alleged argument. The defendant did not attempt to call law enforcement after the victim left the residence or take steps to prevent the victim from re-entering the home.
21. The defendant gave law enforcement multiple versions of the events surrounding the murder.
22. According to the defendant, the victim allegedly choked her continuously for nearly 15 minutes (unfounded) before the victim let her go. They were in the bedroom at the time. Thereafter, the defendant went into the kitchen and then into the bedroom and grabbed the gun. The victim was standing at the doorway threshold. (Defendant interview at 1 hour, 5 minutes, and 20 seconds). There is no evidence that the victim possessed a weapon of any type at any time in the home.
23. Even though the defendant alleges she was choked for nearly 15 minutes by the victim, photos were taken of the defendant shortly after the murder which showed no signs of choking nor markings around the defendant's neck to support any choking or strangulation. The defendant also had no bruises or markings on her hands (Det. Joe Burke testimony, and photos of the defendant submitted into evidence by the State).
24. During the 911 call, the defendant does not allege that she was strangled. Her demeanor during the phone call was relatively calm.
25. According to the defendant, the victim was "standing there," and she pulled the trigger of the gun (defendant interview at 38 minutes 40 seconds). The victim never possessed a weapon nor charged the victim with a weapon.
26. Defendant told law enforcement that the victim "came at me" in the kitchen, and she pulled the trigger. She also told law enforcement that the victim started pushing her and



- let her go. He then came back at her again, and she shot him. The defendant alleges that the victim's hand was around her neck at the time.
27. The defendant told law enforcement the night of the incident that the victim tried to break in her front door and attack her with a stick. A stick was found on the front porch; however, there was no evidence that the victim had tried to break in. On the 911 call, the defendant told the operator that she arrived home from being with her kids and that the victim entered through the back door.
  28. There is no evidence or sign of an attempted forced entry or break-in into the home (Det. Joe Burke testimony, photos in evidence).
  29. The victim did not possess any weapon while inside the home, nor did the victim have any weapons on or around his person when his body was discovered (Det. Joe Burke testimony. The defendant did not allege that the victim had a weapon in the 911 call, in her interview, or in her written statement).
  30. The defendant stated that she never meant to shoot the victim and that she did not know there was a bullet in the chamber. This directly contradicts using the weapon for self-defense.
  31. The defendant admitted shooting the victim but told law enforcement that her gun just "went off."
  32. Law enforcement believed the defendant had cleaned up and manipulated the crime scene.
  33. The defendant's house appeared as if the defendant had attempted to clean it up. Her call to 911 was approximately 30 minutes after the shooting occurred. A bloody wash rag was found at the scene.
  34. The floor in the defendant's home had evidence of being cleaned before law enforcement arrived. An LCU test revealed the presence of blood and a large area of blue and purple swirls consistent with someone wiping the blood up.
  35. Some of the blood was not apparent on the floor to the naked eye.
  36. Law enforcement found the defendant's wet clothing in her room at the scene.
  37. The defendant told the 911 operator her gun was in a drawer. Law enforcement found the gun, cleared of rounds, lying on the defendant's bed.
  38. The defendant told law enforcement that she called 911 within a few minutes after the shooting, but told the 911 operator the shooting had been "30-20" minutes prior.

LAW



A defendant's entitlement to immunity from prosecution under the Protection of Persons and Property Act must be decided by the Court pre-trial using a preponderance of the evidence standard. *State v. Duncan*, 392 S.C. 404, 410-11, 709 S.E.2d 662, 665 (2011); *State v. Curry*, 406 S.C. 364, 370, 752 S.E.2d 263, 266 (2013). A trial court abuses its discretion when its ruling is based on an error of law, or when grounded in factual conclusions, is without evidentiary support. *State v. Jones*, 416 S.C. 283, 290, 786 S.E.2d 132, 136 (2016).

In ruling on a motion for immunity, the trial court must consider and address each of the four elements under the self-defense analysis. While a trial court may provide its analysis orally on the record rather than in a written order, it still must consider and address these specific elements. *See State v. Glenn*, 429 S.C. 108, 123, 838 S.E.2d 491, 499 (2019). Failure to address each of the elements of self-defense makes appellate review difficult and constitutes reversible error. *Glenn*, 838 S.E.2d at 499.

There are four prongs a defendant must satisfy to justify the use of deadly force under the common law of self-defense. The defendant must satisfy all four prongs (not 2/4, 3/4, but 4/4). *State v. Dickey*, 394 S.C. 491, 499, 716 S.E.2d 97, 101 (2011). *See also Curry*, 406 S.C. at 371 n. 4, 752 S.E.2d at 266 n. 4 (citing *State v. Davis*, 282 S.C. 45, 46, 317 S.E.2d 452, 453 (1984));

**First Prong:** The defendant must be without fault in bringing on the difficulty.

**Second Prong:** The defendant must have actually believed she was in imminent danger of losing his life or sustaining serious bodily injury, or she actually was in such imminent danger.

**Third Prong:** If her defense is based upon her belief of imminent danger, a reasonably prudent person of ordinary firmness and courage would have entertained the same belief. If the defendant actually was in imminent danger, the circumstances were such as would warrant a person of ordinary prudence, firmness and courage to strike the fatal blow in order to save herself from serious bodily harm or losing her own life.

**Fourth Prong:** The defendant had no other probable means of avoiding the danger of losing her own life or sustaining serious bodily injury than to act as she did in this particular instance.

In 2006, the South Carolina General Assembly promulgated the Protection of Persons and Property Act to provide immunity from prosecution to persons acting in defense of themselves or others if they are found to be justified in using deadly force. S.C. Code Ann. § 16-11-450 (2015); *Curry*, 406 S.C. at 371, 752 S.E.2d at 266. The Act codified the common law castle doctrine and extended its reach. S.C. Code Ann. § 16-11-420(A) (2015) (“It is the intent of the General Assembly to codify the common law castle doctrine which recognizes that a person's home is his castle and to extend the doctrine to include an occupied vehicle and the person's place of business”). Under the castle doctrine, one who is attacked, without fault on his part, on his own premises, has the right, in establishing his plea of self-defense, to claim immunity from the law of retreat, which ordinarily is an essential element of that defense.’ *Jones*, 416 S.C. at 291, 786 S.E.2d at 136 (citing *State v. Gordon*, 128 S.C. 422, 425, 122 S.E. 501, 502 (1924)).

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The Legislature adopted the Act based on its finding that “no person or victim of crime should be required to surrender his personal safety to a criminal, nor should a person or victim be required to needlessly retreat in the face of intrusion or attack.” S.C. Code Ann. § 16-11-420(E).

Specifically, S.C. Code Ann. § 16-11-450(A) states:

“A person who uses deadly force as permitted by the provisions of this article *or another applicable provision of law* is justified in using deadly force and is immune from criminal prosecution and civil action for the use of deadly force, unless the person against whom deadly force was used is a law enforcement officer acting in the performance of his official duties and he identifies himself in accordance with applicable law or the person using deadly force knows or reasonably should have known that the person is a law enforcement officer. S.C. Code Ann. § 16-11-450(A) (2015) (emphasis added).”

We have acknowledged that “another applicable provision of law” includes the common law of self-defense. *State v. Scott*, 424 S.C. 463, 473, 819 S.E.2d 116, 120 (2018). *See also Jones*, 416 S.C. at 300 n.8, 786 S.E.2d at 141 n.8. This means a defendant may seek immunity from prosecution under the Act by “demonstrating the elements of self-defense to the satisfaction of the trial court by the preponderance of the evidence.” *Curry*, 406 S.C. at 372, 752 S.E.2d at 267.

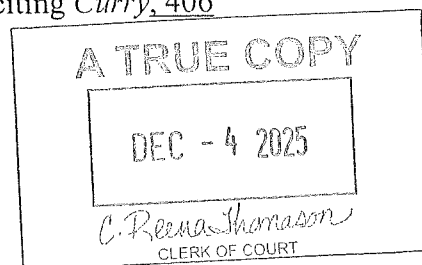
For immunity claims under this theory, the South Carolina Supreme Court stated in *Curry* that, “a valid case of self-defense must exist, and the trial court must necessarily consider the elements of self-defense in determining a defendant's entitlement to the Act's immunity.” *Id.* at 371, 752 S.E.2d at 266. Accordingly, a trial court should first consider whether the defendant has proved the elements of self-defense by a preponderance of the evidence. If the defendant has failed to meet the elements of reasonable fear or the duty to retreat, the Court should then determine whether section 16-11-440(A) or (C) is applicable.

Section 16-11-440(A) may, under appropriate facts, replace the reasonable fear element of self-defense by providing a presumption that the person's fear was reasonable under the following circumstances:

A person is presumed to have a reasonable fear of imminent peril of death or great bodily injury to himself or another person when using deadly force that is intended or likely to cause death or great bodily injury to another person if the person:

- (1) against whom the deadly force is used is in the process of unlawfully and forcefully entering, or has unlawfully and forcibly entered a dwelling, residence, or occupied vehicle, or if he removes or is attempting to remove another person against his will from the dwelling, residence, or occupied vehicle; and
- (2) who uses deadly force knows or has reason to believe that an unlawful and forcible entry or unlawful and forcible act is occurring or has occurred. S.C. Code Ann. § 16-11-440(A) (2015).

The presumption of subsection (A) does not apply, however, “if the victim has an equal right to be in the dwelling or residence.” *Jones*, 416 S.C. at 292, 786 S.E.2d at 137 (citing *Curry*, 406 S.C. at 370, 752 S.E.2d at 266).



Similarly, in cases where the defendant has not proved the duty to retreat element by a preponderance of the evidence, the Court should then consider whether section 16-11-440(C) is applicable. This provision was enacted to extend the protections of the castle doctrine to other places where he has a right to be.’ ” *Scott*, 424 S.C. at 475, 819 S.E.2d at 121 (quoting S.C. Code Ann. § 16-11-440(C)). The section provides:

A person who is not engaged in an unlawful activity and *who is attacked in another place where he has a right to be*, including, but not limited to, his place of business, has *no duty to retreat* and has the right to stand his ground and meet force with force, including deadly force, if he reasonably believes it is necessary to prevent death or great bodily injury to himself or another person or to prevent the commission of a violent crime as defined in Section 16-1-60. S.C. Code Ann. § 16-11-440(C) (2015) (emphasis added).

Where the section is applicable, it replaces the duty to retreat element required to establish self-defense. *Curry*, 406 S.C. at 371 n. 4, 752 S.E.2d at 266 n. 4.

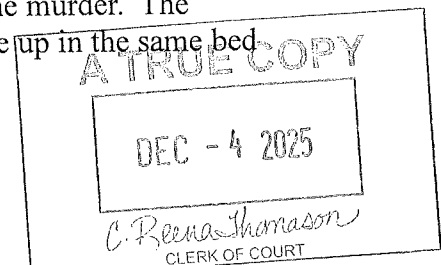
Generally, a defendant will be defaulted into satisfying subsection (C) when the castle doctrine does not apply, or he cannot otherwise show he was excused from the duty to retreat. *Jones*, 416 S.C. at 292, 786 S.E.2d at 137 (defaulting the defendant into seeking immunity under subsection (C) where she and her assailant had an equal right to be in the apartment because they both resided there). *State v. Fuller*, 297 S.C. 440, 444, 377 S.E.2d 328 (1989) (holding under the common law of self-defense that an individual has no duty to retreat if by doing so he would increase his danger of being killed or suffering serious bodily injury). In determining whether a defendant satisfies section 16-11-440(C), the circuit court must analyze whether, at the time of the incident, he was engaged in an unlawful activity and was attacked in another place where he had a right to be. S.C. Code Ann. § 16-11-440(C).

In addition, a proximate cause analysis must also be applied to the unlawful activity element of subsection (C). *State v. Burriess*, 334 S.C. 256, 262, 513 S.E.2d 104, 108 (1999) (“[A] person can be acting lawfully, even if he is in unlawful possession of a weapon, if he was entitled to arm himself in self-defense at the time of the shooting.”); *State v. Goodson*, 312 S.C. 278, 280 n.1, 440 S.E.2d 370, 372 n.1 (1994) (“[T]he burden rests upon the State to prove beyond a reasonable doubt that the unlawful act in which the accused was engaged was at least the proximate cause of the homicide.”).

## ANALYSIS

### First Prong Analysis

Defendant fails the first prong of the self-defense test. The defendant was at fault, or at least is not innocent, of bringing on the difficulty in this shooting. According to the defendant in her interview with law enforcement, everything was fine the night before the murder. The defendant and victim went to bed together. They slept together. They woke up in the same bed.



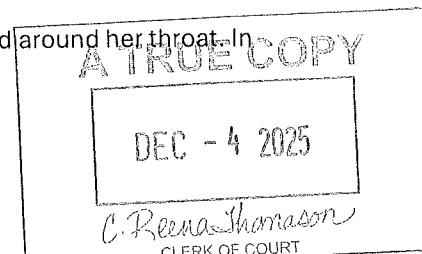
together on the morning of the murder. The victim woke the defendant up by “kissing on her.” They went together and got dog food. The defendant didn’t want the victim to go hungry that day, so she brought the victim tacos. These are all caring, mutually consensual actions by two consenting adults in an intimate relationship. Nothing from these actions can reasonably suggest that the victim was at fault in bringing on the difficulty.

The defendant told the 911 operator and law enforcement several versions of the events that evening. The defendant told law enforcement that the victim was angry at her for staying away from the house for a long part of the day. She alleges he attempted to break in her front door and had a stick in his hand at the time. She said she thought he was going to beat her with it. There is no evidence or sign of the victim attempting to break in the front door, although a stick was found there. Ultimately, the victim entered the house through the back door. Though there are several versions of what happened, the defendant told law enforcement that she shot at the victim when he came after her.<sup>1</sup>

Notwithstanding the defendant’s various version of events, the Court finds that the victim did not cause the altercation between the defendant and himself. The defendant’s allegations that the victim attempted to strangle her and choked her for 15 minutes are unsupported by the evidence. The Court disbelieves the defendant’s version of events as not credible. In addition to the defendant and the victim having an uneventful and even loving day, the facts do not support the victim being an aggressor before and around the time of the killing. Even if the victim was aggressive towards the defendant before the shooting (which the Court does not believe), he left the residence. During the victims’ absence, the defendant did not call law enforcement or take steps to prevent the defendant’s return inside the residence. There is no evidence that the victim used force to gain re-entry. While the Court believes that parties may have and probably did quarrel, the situation did not rise to the level to justify the use of deadly force. The Court believes, and finds, that the defendant was experiencing a psychological and/or emotional breakdown. During this period, the defendant had the gun in her possession (as she had leading up to the event). The defendant, unfortunately, lost control of her emotions because of the dispute with the victim, which led to her ultimately, unjustifiably shooting and killing him. Contrary to the defendant’s allegations in her motion for protection, there is no evidence of a forced entry or break-in. The victim had the lawful right to be in the residence and was not a trespasser.

The victim resided with the defendant in that house, where they shared a common key code to the house, 3211, that they both used together. The victim was not armed during the shooting, nor did he have a weapon on or around him. The defendant was the only person armed. There is little evidence to suggest that the victim reasonably posed as a danger and threat to the defendant. The victim, at most, quarreled with the defendant. There is no credible evidence that the victim attempted to assault or batter the defendant that evening, contrary to her testimony. The defendant asserts that the victim choked her for “fifteen (15) minutes.” Photos of the defendant offered as evidence do not reflect any evidence of the victim choking the defendant, much less for fifteen (15) minutes. Further, even if one were to believe the defendant’s story that she was being choked for nearly 15 minutes by the victim, the defendant stated that eventually the victim let her go, the victim left the residence, and the defendant then

<sup>1</sup> In one version, the victim choked her for 15 minutes. In another, the victim had his hand around her throat. In another, her gun just “went off” as the victim lunged at her.



locked the door behind him. The defendant did not call 911 at any point prior to, during, or after the alleged choking. The defendant had multiple opportunities to call 911 throughout the day if she reasonably feared for her life. She did not call 911 before the shooting.

According to Jasmine Jones, the day before the murder, the defendant stated to Ms. Jones that she was ready to “crash out” and that the defendant was ready to kill herself or somebody else. The victim was killed within 24 hours of making that statement to Ms. Jones. The defendant was heard waving a gun around the victim days before the shooting (State Exhibit 4, voicemail to Ms. St. John). The facts show how the defendant was at fault in bringing on the difficulty on many levels. All this sheds light on her mental state leading up to the shooting. The defendant fails the first prong of the self-defense analysis.

### **Second Prong Analysis**

Defendant must have actually believed she was in imminent danger of losing her life or sustaining serious bodily injury, or she actually was in such danger. In analyzing the second prong of the self-defense analysis, given the facts in this case, it is unreasonable to believe that the defendant would think that she was in imminent danger of losing her life or sustaining serious bodily injury, or that she was in imminent danger. The same analysis and reasoning as applied under the first prong analysis can also be applied to this prong. Given the analysis and reasoning under the first prong, no reasonable person would have believed that they were in imminent danger of losing their life or sustaining serious bodily injury, or actually were in such imminent danger that day (see analysis under first prong). Therefore, the defendant fails the second prong of the self-defense analysis on many levels.

### **Third Prong Analysis**

If the defendant believed she was in imminent danger, a reasonably prudent person of ordinary firmness and courage would have entertained the same belief, and that the circumstances were such as would warrant a person of ordinary prudence, firmness and courage to strike the fatal blow in order to save themselves from serious bodily harm or losing their own life. The same analysis as applied under the first prong can also be applied when analyzing the third prong. No reasonable prudent person of ordinary firmness and courage would have reasonably believed they were in danger of death or serious bodily injury. Further, the fact that the victim left the residence after the argument (and alleged altercation) militates against the use of fatal force.

### **Fourth Prong Analysis**

Defendant had no other probable means of avoiding the danger or losing her own life or sustaining serious bodily injury. The same analysis as provided under the first prong analysis can also be applied when analyzing the fourth prong. This could have been prevented and avoided by this defendant multiple times before the shooting. If the victim was harassing the defendant and making threats to the defendant throughout the day, as alleged by the defendant, she could have called 911 or left the victim’s presence. Instead, the defendant allegedly brought

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food to the victim at her residence. After bringing tacos to the victim, the defendant and her daughter left the residence for a ball game. Even after the alleged altercation in the home where the victim allegedly choked the defendant, the altercation ended, and the victim left the residence. If the victim was a threat at this point, the defendant could have easily called law enforcement. The defendant had opportunities to avoid danger that day and take steps to prevent the victim's re-entry into the residence. There is no evidence that the victim had to use force of any kind to gain re-entry into the defendant's residence. Therefore, the defendant fails the fourth prong of the self-defense analysis on many levels.

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**CONCLUSION UNDER SELF-DEFENSE ANALYSIS**

Because the defendant fails on all prongs under the four-factor self-defense analysis (*merely failing one prong bars immunity*), immunity under the self-defense analysis is denied and the analysis stops. Notwithstanding, the Court analyzes immunity under §16-11-440(C).

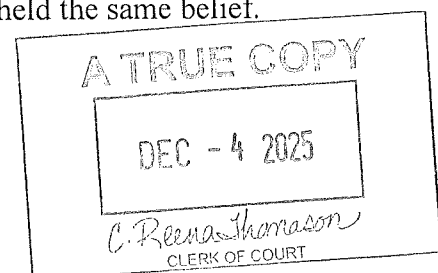
**Analysis under §16-11-440(A)**

In this case, there are no facts that would suggest that the defendant should be presumed to have a reasonable fear of imminent peril of death or great bodily injury. There is no evidence that the victim was in the process of unlawful and forceful entry of the residence or that the defendant knew or had reason to believe that an unlawful and forcible entry was or had occurred. Even if the presumptions provided in subsection (A) were supported by evidence, they do not apply because of subsection (B).

In §16-11-440(B)(1), the presumption provided in subsection (A) does not apply if the person against whom the deadly force is used has the right to be in or is a lawful resident of the dwelling. Here, the facts established in this case show that the victim had the right to be in the home. The victim had stayed the previous night, remained in the residence for the entire day, had been brought food by the defendant, knew the code to the back door, kept clothes at the residence, and even had his dogs stay at the residence. The facts show that the victim had a right to be in the dwelling. Therefore, subsection (A) does not apply; the analysis moves to subsection (C).

**Analysis under §16-11-440(C)**

The facts show that the defendant is not entitled to immunity under §16-11-440(C). According to subsection (C) a person who is not engaged in unlawful activity and is attacked in a place where they have a legal right to be has no duty to retreat and has the right to stand her ground and meet force with force, including deadly force, if she reasonably believes it is necessary to prevent death or great bodily injury to herself or another person or to prevent the commission of a violent crime. To qualify for immunity under subsection (C), the defendant must establish the elements of self-defense, which include: (1) being without fault in bringing on the difficulty; (2) having a reasonable belief of imminent danger of death or serious bodily injury; and (3) demonstrating that a reasonably prudent person would have held the same belief.



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In this case, there are no facts that would suggest that a reasonable person would reasonably believe that use of force was necessary to prevent death, or great bodily injury to herself, or to prevent the commission of a violent crime. There is no evidence of an attack taking place. There was no evidence that the victim strangled the defendant for any period, or even for the alleged 15 minutes. The defendant has conflicting stories about how the gun went off, either an accidental shooting or a purposeful one, and where the defendant was in relation to the victim when the gun fired. There are different accounts from the 911 call and from the interview with officers that put the defendant's version of the events in serious doubt. The defendant failed to prove by a preponderance of the evidence that she was in imminent danger or that her belief of danger was reasonable and therefore is not entitled to immunity under §16-11-440(C).

**Conclusion**

Based on the facts and evidence revealed through the hearing and especially noting the defendant's own statements to 911 and to law enforcement, the defendant fails on all four prongs of the self-defense analysis, as well as the analysis under Section 16-11-440 (A) and (C). As a result, immunity for the Defendant **IS DENIED**.

IT IS SO ORDERED this 4<sup>th</sup> day of December, 2025.

RLM  
Anderson, SC

R. Lawton McIntosh  
Chief Judge for Administrative Purposes  
Tenth Judicial Circuit

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