

 ORIGINAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Howard P. King, Circuit Court Judge

Appellate Case No. 2013-213741

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MAY 02 2014

SC Court of Appeals

The State Respondent

v.

James Walker Appellant

FINAL REPLY BRIEF OF APPELLANT

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ARGUMENT IN REPLY

Appellant has not raised the issue of the admissibility of his statements to Detective Collins and does not contest the admissibility of those statements.

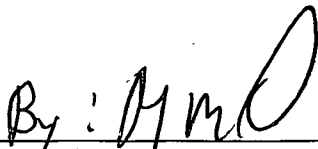
In the brief of the Respondent, the State has contended that the Appellant attacked the admissibility of his statements to the police. (Respondent's Final Brief, pp. 8 -10). While apparently misleading, this was not the Appellant's intent. The Appellant does discuss the circumstances surrounding his statements to the police but he is not challenging their admissibility.

With regards to voluntariness, the Appellant in footnote 3 stated "All the testimony in the trial indicates that Mr. Walker wished to talk with Detective Collins." The footnote goes on to mention an anomaly in the record ("he didn't wish to talk to me") but then provides support from the record as to the voluntariness of his statements. Although not stated directly in Appellant's Initial Brief, this anomaly appears to have been either a misstatement by Detective Collins or a typing error in the transcript.

With regards to his Miranda rights, the Appellant does not contend that his Miranda rights were not given. In fact, footnote 3 notes that Appellant's Miranda rights had been read to him and that he "knew his rights." On page 15 of his Brief, Appellant was not contesting the admissibility of his statements but merely bringing forth facts from the record with regards to his interview with Detective Collins.

In conclusion, the Appellant is not challenging the admissibility of his statements to Detective Collins.

May 2, 2014

By: 

Daniel L. Blake
Attorney at Law

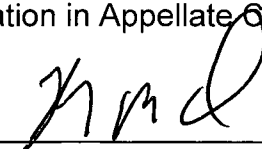
Robert M. Dudek
Chief Appellant Defender
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ATTORNEYS FOR APPELLANT

CERTIFICATE OF COUNSEL

The undersigned certifies that to the best of my ability this Final Reply Brief of Appellant complies with Rule 211(b), SCACR, and the August 13, 2007 Order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

May 2, 2014



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APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

Howard P. King, Circuit Court Judge

Case Nos. 2012-GS-32-000397, 398

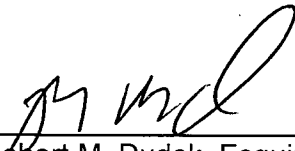
The State Respondent

v.

James Walker..... Appellant

CERTIFICATE OF SERVICE

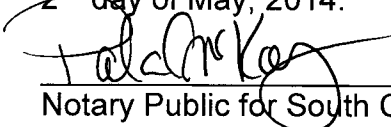
I do hereby certify that I have served the **Final Reply Brief of Appellant** on Tracy A. Meyers, Esquire, Assistant Deputy Attorney General, Office of the Attorney General, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 2nd day of May, 2014.



Robert M. Dudek, Esquire
Chief Appellate Defender

ATTORNEY FOR APPELLANT

Sworn to before me this
2nd day of May, 2014.



Notary Public for South Carolina
My Commission expires: July 24, 2022