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**ORIGINAL**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from York County  
The Honorable J. Derham Cole, Circuit Court Judge  
Appellate Case No. 2013-001953

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NOV 25 2015

SC Court of Appeals

THE STATE

Respondent

v.

Julia Bright Phillips

Appellant

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SUPPLEMENTAL RECORD ON APPEAL

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1 It does not establish anything. Any person who is  
2 accused of a crime that has to be tried in this Court,  
3 in the Circuit Court, has to be brought here by way of  
4 a document called an Indictment. That Indictment sets  
5 forth the charge. It simply serves as a charging  
6 paper. It puts the person accused of a crime on  
7 notice as to what the State claims they have  
8 committed. But it is not proof of anything and it  
9 doesn't establish anything.

10 The State has the burden of proving a person's  
11 guilt that is alleged in an Indictment before a jury  
12 to select for that purpose, and they have the burden  
13 of proving that person guilty beyond a reasonable  
14 doubt. But in this case that has been brought and for  
15 which some of you will be selected is the State versus  
16 Julia Bright Phillips. Miss Phillips has been accused  
17 by the State of having committed the crime of murder.  
18 The State alleges that that occurred back on or about  
19 February the 4th of 2010 and by way of this Indictment  
20 the State alleges that Julia Bright Phillips did here  
21 in York County on or about that date while acting in  
22 an accomplice capacity with a principle offender who  
23 identity is unknown, did unlawfully and with malice  
24 aforethought kill one Melvin Roberts by means of  
25 strangulation and that Mr. Roberts died as a proximate

1 result of those actions. And they alleged that the  
2 killing occurred at the residence of Melvin Roberts  
3 which is locate at 214 Robert's Avenue in York, South  
4 Carolina.

5 Now, as to those allegations, and as to the charge  
6 set forth in the Indictment the defendant has entered  
7 a plea of not guilty and the plea of not guilty places  
8 upon the State the burden of establishing the  
9 allegations that they have made by way of this  
10 Indictment. The burden of proving each of the  
11 essential elements of the crime that they have alleged  
12 against the defendant, and therefore the burden is  
13 upon the State to establish the defendant's guilt to  
14 the satisfaction of twelve jurors beyond a reasonable  
15 doubt before any verdict of guilt could be returned.  
16 So we are going to be selecting the twelve of you as  
17 primary jurors. There will also be two additional  
18 jurors selected to serve as alternate.

19 The function of an alternate is to simply take the  
20 place of one of the original twelve jurors if one of  
21 those jurors becomes ill or for some reason can not  
22 continue to serve. So we will be selecting fourteen  
23 of you to serve as jurors in the case. By way of your  
24 participation you will be called upon to simply listen  
25 to testimony that will be elicited from the witness

1 MS. HODGE: None from the State, Your Honor.

2 THE COURT: From the defendant?

3 MR. FREDERICK: No, sir.

4 THE COURT: All right. We will be at ease while  
5 the jury continues to deliberate.

6 THE COURT: I am told the jury has reached a  
7 decision. Are we ready to proceed?

8 MS. HODGE: The State is the ready.

9 MR. FREDERICK: Yes.

10 THE COURT: Bring them in please.

11 (WHEREUPON, jury enters the courtroom at 6:14.)

12 THE COURT: Madame forelady have you and your  
13 fellow jurors reached a unanimous decision?

14 THE FOREPERSON: Yes, Your Honor.

15 THE COURT: Have you reflected that decision on  
16 the back of the indictment as to the verdict?

17 THE FOREPERSON: Yes, sir.

18 THE COURT: And did you sign your name as  
19 Foreperson?

20 THE FOREPERSON: Yes, sir.

21 THE COURT: If you please hand that verdict form up  
22 by way of the bailiff?

23 You may publish the verdict.

24 THE CLERK: Indictment 2011-GS-46-1851 the State  
25 versus Julia Bright Phillips, Indictment for murder,

1 verdict guilty. Signed by the foreperson. Dated  
2 today's date.

3 Ladies and gentlemen is that your verdict so say  
4 you all by raising your right hand. Let the record  
5 show all the jurors have raised their hands.

6 THE COURT: Does the defendant wish to have the  
7 jury polled.

8 MR. FREDERICK: Yes, sir.

9 THE COURT: All right. Poll the jury please  
10 ma'am.

11 THE CLERK: Ladies and gentlemen man of the jury  
12 please stand and as your name is called after I speak  
13 to you you may sit. Everybody please stand.

14 Jury number 137, is this your verdict?

15 THE JUROR: Yes, ma'am.

16 THE CLERK: Is this still your verdict?

17 THE JUROR: Yes, ma'am.

18 THE CLERK: You may have a seat. Juror number 149.

19 THE JUROR: Yes.

20 THE CLERK: Is this your verdict?

21 THE JUROR: Yes.

22 THE CLERK: Is this still your verdict?

23 THE JUROR: Yes.

24 THE CLERK: You may have a seat. Jury number 98.

25 THE JUROR: Yes, ma'am.

1 THE CLERK: Is this your verdict?  
2 THE JUROR: Yes, ma'am.  
3 THE CLERK: Is this still your verdict?  
4 THE JUROR: Yes, ma'am.  
5 THE CLERK: You may have you a seat. Juror number  
6 21.  
7 THE JUROR: Yes, ma'am.  
8 THE CLERK: Is this your verdict?  
9 THE JUROR: Yes, ma'am.  
10 THE CLERK: Is this still your verdict.  
11 THE JUROR: Yes, ma'am.  
12 THE CLERK: You may have a seat. Jury number 213.  
13 THE JUROR: Yes, ma'am.  
14 THE CLERK: Is this your verdict?  
15 THE JUROR: Yes.  
16 THE CLERK: Is it still your verdict?  
17 THE JUROR: Yes, ma'am.  
18 THE CLERK: You may have a seat. Juror number 31.  
19 THE JUROR: Yes, ma'am.  
20 THE CLERK: Is this your verdict?  
21 THE JUROR: Yes, ma'am.  
22 THE CLERK: Is it still your verdict?  
23 THE JUROR: Yes, ma'am.  
24 THE CLERK: You may have a seat. Juror number 30.  
25 THE JUROR: Yes, ma'am.

1 THE CLERK: Is this your verdict?  
2 THE JUROR: Yes, ma'am.  
3 THE CLERK: Is this still your verdict?  
4 THE JUROR: Yes, ma'am.  
5 THE CLERK: You may have a seat. Jury number 63.  
6 THE JUROR: Yes, ma'am.  
7 THE CLERK: Is this your verdict?  
8 THE JUROR: Yes, ma'am.  
9 THE CLERK: Is this still your verdict?  
10 THE JUROR: Yes, ma'am.  
11 THE CLERK: You may have a seat. Juror number 217.  
12 THE JUROR: Yes.  
13 THE CLERK: Is this your verdict?  
14 THE JUROR: Yes, ma'am.  
15 THE CLERK: Is this still your verdict?  
16 THE JUROR: Yes, ma'am.  
17 THE CLERK: You may have a seat. Juror number 156.  
18 THE JUROR: Yes, ma'am.  
19 THE CLERK: Is this your verdict?  
20 THE JUROR: Yes, ma'am.  
21 THE CLERK: Is this still your verdict?  
22 THE JUROR: Yes, ma'am.  
23 THE CLERK: You may have a seat. Juror number 102.  
24 THE JUROR: Yes, ma'am.  
25 THE CLERK: Is this your verdict?

1 THE JUROR: Yes, ma'am.

2 THE CLERK: Is this still your verdict?

3 THE JUROR: Yes, ma'am.

4 THE CLERK: You may have a seat. Juror number

5 164. Is there your verdict?

6 THE JUROR: Yes, ma'am.

7 THE CLERK: Is this still your verdict?

8 THE JUROR: Yes, ma'am.

9 THE CLERK: You may have a seat.

10 THE COURT: Are there any other matters to be  
11 addressed with the jury present.

12 MS. HODGE: None from the State.

13 MR. FREDERICK: No, sir.

14 THE COURT: All right. Thank you ladies and  
15 gentlemen for your participation in the trial of this  
16 case. I recognize that it has been a burden on you  
17 because it lasted for two weeks, but we do sincerely  
18 appreciate your participation as jurors and the manner  
19 in which you carried out your service as jurors. You  
20 will be paid for your service. It won't be what you  
21 deserve, but it is a small token of your county's  
22 appreciation for the service that you have provided by  
23 way of your jury service. And I do sincerely hope  
24 that this experience has been educational and  
25 beneficial experience for you. I do sincerely hope

1 have, but I am glad that it is over.

2 THE COURT: All right. Thank you, ma'am.

3 THE DEFENDANT: Your welcome.

4 MR. FREDERICK: That is all judge.

5 THE COURT: Okay. Thank you.

6 All right. On Indictment 2011-GS-46-1851, an  
7 Indictment for murder, wherein you have been found  
8 guilty by a jury for that offense, the sentence of the  
9 Court is you be Julia Bright Phillips be confined to  
10 the South Carolina Department of Corrections for a  
11 period of your natural life.

12 Miss Phillips, you have the right to appeal the  
13 verdict of the jury and the sentence of the Court.  
14 You must file a notice of your intention to appeal  
15 those decisions within ten days of today's date. Mr.  
16 Frederick I am sure will advise you accordingly.

17 THE DEFENDANT: Thank you. What do I do know?

18 THE COURT: Go with the sheriff.

19 THE DEFENDANT: Okay.

20 MS. HODGE: Thank you, Your Honor.

21 THE COURT: Court is adjourned.

22 (End of Transcript of Record)  
23  
24  
25

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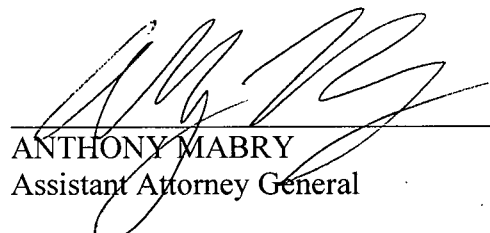
Appellant

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CERTIFICATE OF COUNSEL

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Counsel for Respondent certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies with the April 15, 2014 Order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

  
\_\_\_\_\_  
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Assistant Attorney General

November 25, 2015