

**ORIGINAL**

STATE OF SOUTH CAROLINA

In The Court of Appeals

---

APPEAL FROM SUMTER COUNTY

Michael G. Nettles, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

GREGORY WRIGHT,

APPELLANT

---

SUPPLEMENTAL RECORD ON APPEAL

---

ROBERT M. PACHAK  
Appellate Defender

ALAN WILSON  
Attorney General

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

JOHN W. MCINTOSH  
Chief Deputy Attorney General

Attorney for Appellant

SALLEY W. ELLIOTT  
Senior Assistant Deputy Attorney General  
Office of the Attorney General  
PO Box 11549  
Columbia, SC 29211

(803) 734-3727

C. KELLY JACKSON  
Solicitor, Third Judicial Circuit  
Sumter County Courthouse  
141 N. Main Street  
Sumter, SC 29150-4965  
(803) 436-2185

Attorneys for Respondent

**RECEIVED**

SEP 11 2012

**SC Court of Appeals**

INDEX

INDEX .....i

TRIAL TRANSCRIPT (OPENING AND CLOSING STATEMENTS) .....1

STATE’S EXHIBIT #21 (JAIL MAIL) .....30

STATE’S EXHIBIT #22 (AFFIDAVIT OF FRANK WILSON) .....32

CERTIFICATE OF COUNSEL .....33

1 MR. SCOTT: Thank you, Your Honor. May it  
2 please the court.

3 THE COURT: Yes, sir.

4 MR. SCOTT: Ladies and gentlemen of the  
5 jury, thank you for your patience. Briefly, I just  
6 want to go over with you what this case is about;  
7 what we intend to show you. As you may have  
8 recalled from the written indictments, this case  
9 is about drugs and about money. It's also about  
10 dog fighting. This is a case about Greg Wright  
11 and a man named Frank Lee Wilson.

12 It's about a partnership that existed in  
13 order to sell cocaine crack and marijuana. This  
14 was not an equal partnership though. We intend to  
15 show you that Greg Wright was the commercial level  
16 drug dealer, while Frank Lee Wilson was an  
17 underling to him. He was a point man.

18 Ladies and gentlemen, my name is Dale  
19 Scott. I represent the State. I work for the  
20 office of the Attorney General in Columbia. Greg  
21 Wright has been indicted on a number of charges.  
22 And in this trial, I am going to ask you to find  
23 him guilty of trafficking crack, of trafficking  
24 cocaine, possession with intent to distribute  
25 marijuana, possession of a dangerous weapon during

1 the commission of a violent crime, owning animals  
2 for the purpose of fighting, animal fighting, and  
3 ill treatment of animals. I intend to show you  
4 the guilt of Mr. Wright by showing you the  
5 evidence associated with this case, and giving you  
6 the testimony of the witnesses. These are people  
7 who know Greg Wright, who have been to his house,  
8 who have dealt with him.

9 And you will decide this case based on that  
10 evidence and that testimony that I intend to proffer  
11 from the witnesses. What I say is not evidence. What  
12 Mr. Littlejohn says is not evidence. The evidence will  
13 come from that stand right there. And I intend to show  
14 you his guilt based on that evidence and that testimony.  
15 And you are going to hear about the Sumter County  
16 Sheriff's Department. And you are going to hear about  
17 the use of what is called a confidential informant. You  
18 are going to hear about this confidential informant and  
19 what he observed in his trips to . . . This  
20 is the property owned by Mr. Wright. Based on what this  
21 confidential informant saw, the Sheriff's Department on  
22 May 25, 2007, obtained a Search Warrant and executed  
23 that Search Warrant at

24 They found a large quantity of drugs, and 42 pit  
25 bull dogs in the yard. Most of these animals were

1 chained with heavy logging chains. A few of them were  
2 confined to raised pins. As a result of this Search  
3 Warrant, Greg Wright, Frank Lee Wilson, and along with  
4 six other individuals were arrested. You are going to  
5 hear from the people in law enforcement. You will hear  
6 from people who have been to , and who  
7 have seen these things.

8 It is going to be important because about a  
9 month after these arrests, a typed Affidavit shows up  
10 out of nowhere. This Affidavit is signed by Frank Lee  
11 Wilson. And he claims all these drugs were his and that  
12 this man has nothing to do with it. Greg Wright has  
13 nothing to do with it. I intend to show you that this  
14 case is not as simple as that. I am going to show you  
15 that Greg Wright and Frank Lee Wilson are both guilty of  
16 the drugs that were found on May 25th 2007. I am going  
17 to ask you to use your logic and your common sense when  
18 you examine the evidence and the testimony. Your God  
19 given logic and your common sense. And in this trial, I  
20 am going to ask you to find Mr. Wright guilty of the  
21 charges he has been indicted for. Thank you.

22 THE COURT: Mr. Littlejohn, you are  
23 recognized.

24 MR. LITTLEJOHN: May it please the Court.

25 THE COURT: Yes.

1                   MR. LITTLEJOHN: Mr. Scott. Mr. Foreman  
2                   and ladies and gentlemen, let me reintroduce  
3                   myself. I am Cam Littlejohn. I practice law in  
4                   Columbia, South Carolina. I have been practicing  
5                   for a number of years as you can tell by the gray  
6                   hairs on my head. I represent Greg Wright in this  
7                   case. And we have along with the State, selected  
8                   you 12 and one alternate to be the fair and  
9                   impartial jurors that will decide where the truth  
10                  lies in this case. And ultimately you will decide  
11                  on a verdict.

12                  And verdict comes from the Latin term  
13                  Veredicto, which means to speak the truth. And I  
14                  want to thank you for being here today. I don't  
15                  anticipate this as being a long trial. I am sure  
16                  all of us have heard about these long trials they  
17                  have out in California that last for months and  
18                  years and that sort of thing. And this will not  
19                  be anywhere close to that. Two or three days at  
20                  the most. But we realize that even two or three  
21                  days or two or three days out of your lives and  
22                  away from your family, away from your jobs and the  
23                  other commitments, and we thank you for your  
24                  service.

25                  Winston Churchill once said that in peace

1 time the most important duty a citizen can render  
2 is that of jury duty. So again, I thank you. And  
3 I am sure the State thanks you, and I know the  
4 Court thanks you.

5 As His Honor explained to you, this is a  
6 criminal case. And Greg Wright who is the  
7 defendant, has exercised his right to a trial by a  
8 jury of his peers. Everyone in this country has a  
9 right to a jury trial when accused of a criminal  
10 offense.

11 And as His Honor explained to you, the  
12 defendant has no obligation to prove anything. It  
13 is up to the State to prove the guilt of  
14 Mr. Wright or any other defendant. Proof by  
15 beyond a reasonable doubt. And His Honor  
16 explained to you how that crime of proof works.  
17 And he also explained to you how Greg Wright sits  
18 there presumed to be innocent of these charges.  
19 The indictments brought against him, as Judge  
20 Nettles indicated, are merely pieces of paper, the  
21 charging documents, how we found them to be in  
22 this courtroom.

23 So I ask you to keep those legal maxims,  
24 those legal rules in mind as we go through the  
25 trial of this case. And I know you will. Now the

1 indictments that you have been shown charge Mr.  
2 Wright with a number of offenses. Offenses  
3 involving crack cocaine, cocaine, marijuana. And  
4 the indictments charge that on or about May 25th  
5 2007, May 25th 2007, that he did possess drugs and  
6 or traffic drugs on that day.

7 Now, you're going to hear testimony that  
8 the Sumter County Sheriff's Department went to  
9 Mr. Wright's house at on that day,  
10 May 25th 2007. And to give you a little bit of  
11 the layout there, you are going to find that there  
12 was a double wide house that Greg Wright lives in  
13 with his wife, and his three children. And there  
14 is a backyard to that double wide. And behind  
15 that backyard is a very large, tall privacy fence.  
16 Behind that privacy fence, there is another house,  
17 a much smaller house. And in that house, one  
18 Frank Lee Wilson lives.

19 You're going to hear testimony from the  
20 Sheriff's Department how when they went there on  
21 May 25th 2007, they found drugs. They found drugs  
22 on Frank Lee Wilson. They found drugs on the  
23 ground near Frank Lee Wilson. They found drugs in  
24 the house in which Frank Lee Wilson. They didn't  
25 find any drugs in Greg Wright's house. And as

1 Mr. Scott indicated to you, Frank Lee Wilson gave  
2 a statement. A sworn statement, saying those  
3 drugs were mine. But yet we are here deciding on  
4 the guilt of Mr. Wright, or you are, as to whether  
5 he possessed those drugs on May 25th 2007.

6 Now Mr. Scott also alluded to the fact  
7 that there were a number of dogs that were there  
8 at .. And I think you will find as  
9 the evidence unfolds, that there were a number of  
10 dogs there behind that privacy fence. And there  
11 were 39 or 41 dogs. And the dogs were kept there.  
12 And they were for the most part, had individual  
13 houses. They had individual chains. They had  
14 individual feeding and water bowls. And generally  
15 the dogs were in good shape. But yet, they have  
16 charged Mr. Wright with ill treating the dogs.  
17 With causing fights between animals. And owning  
18 animals for the purpose of fighting. And I think  
19 once you hear the testimony, you will agree there  
20 was no evidence of dogs fighting.

21 Now they are also going to introduce  
22 evidence that when they were in Mr. Wright's and  
23 his family's house, they found a pistol. A pistol  
24 in a chest of drawers that was in a bedroom that  
25 was occupied by Mr. Wright's house. And there is

1 going to be testimony that they found some cash in  
2 there. And I think later you will understand why  
3 they had cash in there. The cash was in a couple  
4 of bundles. There was also a bunch of cash in  
5 their kid's big water jugs. Kind of like a big  
6 piggy bank that was seized also.

7 So, as we go along through the  
8 presentation of evidence, I ask that you pay very  
9 close attention. Which I know you will. And when  
10 you ultimately receive this case, do a verdict  
11 that speaks the truth, as to whether Greg Wright  
12 possessed any drugs on May 25th 2007. You don't  
13 have to decide whether Frank Lee Wilson did. He's  
14 already signed an Affidavit to that effect. But  
15 that question will be presented to you. I ask you  
16 to keep an open mind. Listen to the testimony.  
17 Listen to His Honor's charge on the law when we  
18 conclude the case. And when you do, you will  
19 retire and render, as I know you will, a verdict  
20 that speaks the truth.

21 (Whereupon, attorneys commence with  
22 closing statements.)

23 MR. LITTLEJOHN: Thank you. May it please  
24 the court. Ladies and gentlemen, once again, I  
25 want to thank you for your attention during the

1 course of this trial. As his honor indicated to  
2 you, this is an important trial. This is a very.  
3 important trial for Greg Wright, who stands  
4 accused of some very serious crimes.

5 I noticed during the representation that  
6 each and every one of you paid very close  
7 attention to the evidence. And from that, we do  
8 thank you. His honor, well let me explain a  
9 little bit about the order of things here. As  
10 obvious, the state went forward with their proof,  
11 because they have the burden of proof. And the  
12 judge is going to explain to you exactly what that  
13 burden of proof is, after we finish our arguments  
14 and he gives his legal instructions to you.

15 They went first with their burden of  
16 proof. His Honor is going to tell you that the  
17 defendant doesn't have to prove anything. As I  
18 indicated, he is presumed not guilty as he sits  
19 there. There is no burden on him to put up any  
20 evidence. In this case obviously we did put up  
21 some evidence. But due to that burden, they go  
22 first with their proof. We go second with ours.  
23 We go first with the closing argument. The state  
24 gets the last argument.

25 And I am going to try and sum up all the

1 things that I think transpired during this trial  
2 and things that you are to consider in arriving at  
3 your verdict. And understand, this will be my  
4 last time to talk to you. I won't have that  
5 opportunity to stand up in reply. And I may get a  
6 little fidgety over there, because I know I can't  
7 get back up and reply. But I am going to try and  
8 cover everything I can during this presentation.

9 Now Greg Wright is charged with, actually  
10 three different kinds of charges, there are the  
11 drug charges, there are charges involving the dogs  
12 and there is the gun charge. I'd like to talk to  
13 you first about the drug charges.

14 He's charged with offenses related to  
15 crack cocaine, powder cocaine and marijuana. And  
16 this case is a little bit different, no, it's a  
17 lot different actually. Because are a whole lot  
18 of facts that are not in dispute. Normally when  
19 we try a case there are facts, all sorts of facts  
20 in dispute. But in this case, there are more  
21 facts not in dispute than there are in facts in  
22 dispute. And what are some of these things that  
23 are not in dispute?

24 First, Frank Lee Wilson had all these  
25 drugs that are charged against Greg Wright, near

1 Him, on him, or in his residence. All of them.  
2 And No. 2, in Greg's House and Gwen's house there  
3 were no drugs. And No. 3, there is no evidence  
4 that Greg Wright ever bought, sold these drugs.  
5 There is no evidence he ever handled these drugs.  
6 There is no evidence that he ever possessed these  
7 drugs. There is no evidence that he ever had the  
8 right to control or direct their disposition. And  
9 that is an important concept. Because Judge  
10 Nettles is going to charge you there are two kinds  
11 of possession. There is actual possession, which  
12 are those things that you might say you actually  
13 have on your person; that are directly with you.  
14 I will give you an example. This pen, I have  
15 direct possession of this pen, because it's in my  
16 pocket. And it's nobody else's. I have the pen  
17 right here. That's actual possession.

18 Now I have another pen it's out in the  
19 car. And because it is in my car, I have  
20 constructive possession of it, because I can  
21 direct or control the disposition of that  
22 particular pen. So you are going to hear  
23 Mr. Scott, I am sure, argue about constructive  
24 possession. But I would submit to you, there's  
25 not proof of constructive possession in this case.

1 All the drugs were found on Frank Lee Wilson or in  
2 his control. He admitted to that. He testified  
3 to that. He plead guilty to that. He signed an  
4 Affidavit. He told the magistrate that. He told  
5 the police officers that when he was arrested.

6 You know, Mr. Scott, I am sure is going to  
7 say well, these drugs were on Greg's Wright  
8 property. Now the problem I have with that, and I  
9 would submit you should have with that, here  
10 you've got a situation where a man, Greg Wright,  
11 rents a residence to another man, Frank Lee  
12 Wilson, and Frank Lee Wilson has those things in  
13 his residence. Now if you use that theory, you  
14 know, couldn't the police go out and arrest any  
15 landlord who tenant had drugs in the rented  
16 apartment or the rented house I submit to you,  
17 that doesn't make constructive possession. Just  
18 because it is technically on the property of the  
19 person who rents the residence. No. 4, I  
20 mentioned this earlier, and I won't dwell on it.  
21 Frank Lee Wilson pled guilty, signed an Affidavit,  
22 and admitted on this stand under oath that all  
23 these drugs were his and were not Greg Wright's.  
24 No. 5, he plead guilty to those drugs. Came in  
25 front of this court in front of Judge Nettles.

1 Had his attorney who was here who has been  
2 advising him for months. Came in to court and  
3 said, yes, I am guilty of possessing these drugs.  
4 I am freely and voluntarily doing that with the  
5 assistance of counsel. And I am doing so because  
6 I am guilty. Why did Frank Lee Wilson do that?  
7 Because he didn't want anybody to get in trouble  
8 for his drugs. That's what he told you. Isn't  
9 that the right thing to do?

10 Do you want somebody else to get in  
11 trouble, to be convicted for a very serious  
12 felonies for something you did? I submit to you  
13 he did the right thing. So I ask you, these  
14 things are disputed. Where is the evidence that  
15 is in dispute. Where is the evidence THAT Greg  
16 Wright was involved in this. I submit to you,  
17 Ladies and Gentlemen, that before you make a most  
18 important decision that is ever going to be made  
19 about Greg Wright or his life, that you require  
20 strong evidence. Not conjecture. Not assumption,  
21 not speculation. Not could be, but you require  
22 strong evidence before you tip those scales and  
23 found that the proof is beyond a reasonable doubt.  
24 Now, ladies and gentlemen, let me talk about the  
25 letter, because I know Mr. Scott is going to talk

1 about the letter. And I am referring to State's  
2 Exhibit No. 21 in the letter I would submit to  
3 you, it's not very artful, and it wasn't very  
4 thought out. But here, Greg Wright, been thrown  
5 in to jail for Frank Lee Wilson's drugs. He  
6 didn't know what was going on out there. And I am  
7 sure Mr. Scott is going to say well there are  
8 damning statements in here. They are  
9 incriminating statements. But no where in here  
10 does he say, these were my drugs. Protect me from  
11 my drugs. He says in here, they are trying to  
12 give me time for something I really had nothing to  
13 do with. And then I ask you to look at the next  
14 sentence after that. I told Lee, Frank Lee  
15 Wilson, "Man, not to do this. And I do him not  
16 to do that. But all that's done now." It's  
17 obvious from the letter that Greg was very  
18 concerned because he had been thrown in jail for  
19 Frank Lee Wilson's drugs. And it's pretty obvious  
20 after hearing the testimony in this case,  
21 especially Investigator Mays, that when people  
22 get charged with things they start doing some  
23 pretty radical stuff like becoming informants.  
24 And obviously Greg Wright was concerned for  
25 somebody making a statement on him that wasn't

1 true. Whether that happens or not, but obviously  
2 he was concerned with that. But he doesn't admit  
3 the dog fighting. He doesn't admit the possession  
4 of drugs. But he does say, I told Lee not to do  
5 that. That's up to you to decide. But I submit  
6 to you still even with the letter, there is no  
7 evidence that Greg Wright possessed these drugs.

8 Now next I would like to talk about the  
9 charges involving the 41 or 42 dogs. And there  
10 are uncontested facts there too, Ladies and  
11 gentlemen. No. 1, apparently there were 27 dogs  
12 that were apparently not ill treated or the state  
13 doesn't contend were involved in fighting. Or  
14 what have you. The vast majority of these dogs.  
15 No. 2, if you examine the evidence, which I know  
16 you will, and you will analyze it and comprehend  
17 it and take it for what it actually is, there is  
18 no evidence that any of these dogs were ever  
19 fought by Greg Wright.

20 There is no evidence of any fight at his  
21 house. There is no evidence he took the dogs  
22 anywhere. There is no evidence that the dogs were  
23 ever fought. No. 3, there is no evidence that any  
24 of the dogs were owned or possessed by Greg Wright  
25 four purposes of fighting either on May 25th 2007,

1 or any other day either in the past or the future.  
2 There is just no evidence. And I submit that is  
3 undisputed.

4 No. 4, the 15 dogs that they pointed out  
5 to you out of the 41 or 42, there is no evidence  
6 that those dogs were scratched, injured, bitten or  
7 scarred while Greg Wright owned them. Again, I  
8 submit to you that your verdict shouldn't be based  
9 on speculation or conjecture. It has to be based  
10 on strong evidence presented by the state beyond a  
11 reasonable doubt. There is no evidence that those  
12 dogs were injured while they were in the charge of  
13 Greg Wright.

14 Possession of injured dogs is not proof,  
15 Ladies and gentlemen. Now apparently, 15 of these  
16 dogs had some injuries. Where those injuries  
17 occurred, we don't know. When those injuries  
18 occurred, we don't know. We don't know whether it  
19 happened in the woods. We don't know whether it  
20 happened between the dogs. We don't if it  
21 happened in the transportation on May 25th. We  
22 don't know if those dogs were injured before they  
23 came to be on this Greg Wright's property.

24 And I submit to you the scars are no  
25 proof, because we don't know how the scars were

1 made. Now I know Mr. Scott is going to get up  
2 here and harp on Dr. Hawkins' testimony. And  
3 Dr. Hawkins, if you remember, was the lady who  
4 testified, one of lay witnesses for the state.  
5 And I have thought it really interesting that she  
6 in her practice had more than 2,000 pit bulls that  
7 they took care of.

8 Yet she would like you to think that pit  
9 bulls are for nothing but fighting. But when I  
10 asked you, she said, yes, they are pets. People  
11 have pets. There is nothing wrong with having  
12 them as pets. Having numerous pit bulls there is  
13 nothing wrong with that. So I don't want you to  
14 assume that just Greg Wright had pit bulls that  
15 they were for some reason for fighting. 2,000 pit  
16 bulls. A popular breed. Another assumption I  
17 don't think we can make.

18 And Dr. Hawkins, I think you take her  
19 testimony for what it is worth. She wanted to  
20 volunteer a whole lot of information first off.  
21 And she wanted to assume a lot of times that I  
22 don't know that there was a basis for. But I got  
23 a little amused. She said well Greg Wright had  
24 too much medicine for his dogs; therefore, he must  
25 be doing something wrong. Ladies and Gentlemen,

1 isn't that kind of like having too many baby  
2 aspirin for your kids. Does that mean you are  
3 going to beat your kids? Or you're going to make  
4 something happen to your kids, because you have  
5 got a lot of medicine for them or a lot of  
6 aspirin. It doesn't follow.

7 Ladies and gentlemen, I submit to you,  
8 that there just is no evidence to support those  
9 three charges in the Indictment. As to the ill  
10 treatment, you heard testimony. You will see  
11 pictures, pictures that we had to put in evidence  
12 showing these dogs had houses. They had feed.  
13 They had water. They were kept, as I submit to,  
14 as best as Greg Wright could do given his property  
15 and his circumstances. But it is funny, you know,  
16 his wife told you about an incident, where they  
17 came out and looked at the dogs a few months  
18 before this arrest, Animal Control, and said  
19 everything is fine now. What made it different?  
20 What made it different on May 25th 2007.

21 Lastly Ladies and gentlemen, there is a  
22 gun charge. And you heard Ms. Burris tell you how  
23 she come to buy that gun. How She came to possess  
24 that gun. How she didn't let Greg know she had  
25 that gun. But the crime charged is possession of

1 a firearm. And I would submit to you that there  
2 is no evidence that Greg Wright ever possessed  
3 that firearm during the commission of a violent  
4 crime. The violent crime being the drug offenses.

5 I would also submit to you that there is  
6 no proof that the drug offenses were committed and  
7 therefore, you should find Greg Wright not guilty  
8 of that charge among others. Ladies and  
9 gentlemen, I am about to sit down. And as I  
10 indicated to you after I sit down, Mr. Scott, will  
11 have the opportunity to address you. And then at  
12 the conclusion of his remarks His Honor will  
13 instruct you as to the law that you are apply to  
14 the facts as you find them.

15 And of course I ask you to listen very  
16 carefully to His Honor's charge. And take the law  
17 and apply to the facts as you find them. And  
18 again, I would submit to you that your verdict  
19 should be based on strong, good evidence before  
20 you can find a man guilty of these very serious  
21 charges. And I would submit to you that further  
22 that that burden of proof has not been met in this  
23 case. There are more facts here are undisputed  
24 that tip the scales against reasonable doubt than  
25 there are facts that tip it in favor of reasonable

1 doubt. And if you don't find that the state has  
2 met their burden of proof, then it your duty as  
3 jurors when you took that oath, it would be your  
4 duty to find Greg Wright not guilty. Once again,  
5 I thank you for your attention. And I will sit  
6 down now. And I ask you that you ponder the  
7 evidence and the law and return a verdict of not  
8 guilty as to every count. Thank you.

9 THE COURT: Thank you, Mr. Littlejohn.  
10 Mr. Scott you are recognized.

11 MR. SCOTT: Thank you, Your Honor. If it  
12 Please the Court.

13 THE COURT: Yes, sir.

14 MR. SCOTT: Ladies and gentlemen, thank  
15 you for your patience. I know at times, at least  
16 I can speak for myself. A test of the time, and  
17 it's been a long couple of days. But we've come  
18 to the conclusion. At the beginning of this  
19 trial, I asked you, I told you, at the end of this  
20 trial, I was going to ask you to find Mr. Wright  
21 guilty of the charges he has been indicted for.  
22 And I am doing that right now.

23 And I told you at the beginning all the  
24 evidence was going to come from up here. And I  
25 think all that evidence from the witnesses and all

1 this evidence came and kind of speaks for itself.  
2 And I am not going to do a lot of talking, because  
3 I think most of you probably have already made up  
4 your mind.

5 And I think that a lot of this evidence  
6 speak for itself as I said. But I want to start  
7 with the drug charges. All these drugs were  
8 found, and I am going to refuse to call this  
9 house, by the way. There has been some I guess,  
10 semantics, but if you want to consider that a  
11 house do so. That is a shed to me. Probably 10  
12 by 10 shed. And there has been some question as  
13 to whether Frank Lee Wilson lived in it, or he was  
14 a day laborer who was hanging out in it during the  
15 day. Who knows? The point is that whole piece of  
16 property belonged to Greg Wright.

17 And in State's Exhibit No. 1, we know that  
18 this is Greg Wright's trailer. And this is the  
19 shed with a privacy fence in between. Have you  
20 ever seen a piece of property set up like that or  
21 divided in such a way? I submit to you there was  
22 a purpose for that. It was to keep his home  
23 separate in case of what happened on May 25th, so  
24 he could basically say nothing in my house. It's  
25 all out there. Which he did.

1                   Who did we hear from? We heard from  
2                   Investigator Tripp Mays. He was the first up.  
3                   Tripp Mays talked about the CI. The Confidential  
4                   Informant who was able to go to 4915 Silo Road and  
5                   sort of witness some illegal activity, that raised  
6                   suspicion of the Police Department which resulted  
7                   in May 25th, him showing up and finding all these  
8                   things on Mr. Wright's property. I just want to  
9                   ask you, and we went over the drugs. You know,  
10                  and you will have all of the evidence back in the  
11                  jury room. But there was a great quantity of  
12                  drugs. And there was drugs on the ground outside.  
13                  There was drugs in this shed. There was police  
14                  scanners. We had digital scales all this stuff in  
15                  the back yard.

16                  I submit to you that if this type of thing  
17                  was going on in your back yard, you had an idea it  
18                  was going on back there. So take that for what  
19                  it's worth. We talked about these dogs that were  
20                  back there. What other evidence did we find? We  
21                  talked about the inside of the house, and all of  
22                  cash money, the guns and everything. Again, I  
23                  submit to you if your spouse had a gun you  
24                  probably would know about it. I don't think the  
25                  question that the property belonged to Mr. Wright

1 was an issue. That was admitted. And I think we  
2 kind of moved beyond that. what can I say about the  
3 drugs. I mean, to me the evidence, I don't want  
4 to keep harping on it, it speaks for itself.

5 And we have May 25th. We have all these  
6 people arrested. A couple of them are locked up  
7 together. And you're going to have this in  
8 evidence. And, you know, Mr. Littlejohn is right,  
9 I am going to harp on this. This is a great piece  
10 of evidence. I want you to read it, and ask  
11 yourself what he is talking about. Let's stick to  
12 our stories. We're talking about this, I want  
13 everybody to stick to your stories. What story is  
14 that? You know, the story should be, if the  
15 story is true, I didn't do it. Frank Lee Wilson  
16 did it. No, we've got to have a story.

17 Then he talks about the dogs at the end.  
18 But as I said, I am not going to worry about it.  
19 We read it earlier. And you all will be able to  
20 read it again. Well that shows up. And then some  
21 time later, June 20th, this Affidavit showed up.  
22 And it's typed fairly eloquently. And then we  
23 heard Frank Lee Wilson read it. And by the way,  
24 Frank Lee Wilson, we heard him. And, you know,  
25 say what you will about Him, he's in prison now.

1 And he didn't seem to me, or I submit to you at  
2 least, he was not a very sophisticated person.

3 I want to know where is he getting all  
4 these drugs from. He's a drug addict as well.  
5 Where is he getting these from. That doesn't  
6 appear to be a sophisticated enough man to sell  
7 those amounts of crack in somebody else's back  
8 yard without that person knowing about. But then  
9 again, that's a question you all will be able to  
10 analyze.

11 We went, of course, just a line of  
12 officers, law enforcement people who went in.  
13 They talked about the search. They talked about  
14 everything that was found. They talked about the  
15 layout of the property. And how you kind of have  
16 to go down this driveway right beside the -- I'm  
17 sorry, driveway right beside the trailer. And  
18 enter in this little fence back here. And that's  
19 pretty much where everything went down. Inside  
20 the house. We discussed the gun. But all that  
21 cash money. I think \$6600 in and all was seized.

22 There wasn't any money in the back yard.  
23 I think there was \$300 on Frank Lee Wilson. But,  
24 you know, there was 6600 inside. And I think  
25 Ms. Burris said that that was work money. And

1 that was payroll money, or money for the beach.  
2 But I submit to you if I had that amount of money  
3 in my house, or the average person would have it  
4 more secured than in a couple of drawers. This  
5 was found under a dresser.

6 Then there was some in the Tupperware in  
7 another room. I submit to you it would be more  
8 secure than that. The dogs: These pictures  
9 again, you can look at all the pictures we went  
10 over. And I know that was sort of tedious  
11 yesterday, but it is important. Because and I  
12 will also harp on Dr. Hawkins' testimony. She  
13 talked about these medicines. And we went over a  
14 great deal of them. They are a lot of penicillin  
15 type things, anti-inflammatory, analgesics, or  
16 rather sorry, antiseptics. A number of things for  
17 somebody as she testified, who was anticipating a  
18 large number of injuries.

19 So she testified as well that the majority  
20 of those injuries -- or at least the dogs we went  
21 over, the 15 out of the 41 dogs, those were  
22 consistent with dog fighting. They were  
23 consistent with puncture wounds caused by teeth in  
24 the face and the forearms. This dog has half of  
25 his mouth chewed off. And, you know, she

1 testified in her expert opinion, 25 years being a  
2 veterinarian that was caused by dog fighting. and  
3 you know, you can't have it both ways. These dogs  
4 were on chains where they can't touch each other.  
5 So somebody is letting them off the chains, and  
6 allowing them to fight. Those are chains.

7           You saw me struggle with them, picking  
8 them up. These are heavy chains on, I'd say a dog  
9 that was approximately 40 pounds. That's around  
10 their neck all day long. If that is not ill  
11 treatment in and of itself, I don't know what is.  
12 And she testified to that. We talked about the  
13 burden of carrying that around all day long, and  
14 what it does to the dog's neck and everything.

15           We talked about various living conditions.  
16 Here you see this animal right here in this raised  
17 pen. I think it was called a whelping pen. Well  
18 if that animal is about to have puppies, where are  
19 the puppies going to lie in that pen. That hadn't  
20 been cleaned out in days. She testified to that.  
21 So all in all, we had all these animals in various  
22 stages of healing, old scars, new scars, again you  
23 will have the pictures. Mr. Littlejohn stated  
24 that, you know, Mr. Wright he did the best he  
25 could with what he had. Well why have 41 or 42

1 dogs if you can't take care of them? I mean, you  
2 know, and again, how many pit bulls, nothing wrong  
3 with pit bulls. I believe they could probably be  
4 some of the greatest pets there are. But not when  
5 you train them to be aggressive. We heard how  
6 whenever they went in there and they confiscated  
7 them, these dogs were trying to get to each other.  
8 They had been trained and bred and used for  
9 fighting. And that was why they experienced that.

10 MR. LITTLEJOHN: Your Honor, I am going to  
11 object to that. I don't think there is anything  
12 in the record like that.

13 THE COURT: Of course the jury heard the  
14 evidence and this is closing arguments. I am  
15 going to allow him to make his argument.

16 MR. SCOTT: I would submit to you that  
17 there is no reasonable doubt that Mr. Greg Wright  
18 had a part to do with all this in his back yard.  
19 The property owned by him. And I want you to look  
20 at that. I want you to look at where it was found  
21 in the back yard in the shed. I want you to look  
22 at this. I want you to consider this, the  
23 Affidavit along with Mr. Wilson's testimony. And  
24 ask yourself was he doing this alone. If you  
25 believe that, that's fine. I want you to also in

1 conjunction with that, think about the large sums  
2 of cash found inside. The gun. I want you to  
3 think about the scanners, digital scales, all this  
4 stuff that was found there. Where is the money  
5 at? The money isn't in the shed. That guy is  
6 supposed to be dealing dope by himself, if it is  
7 all him, why is he living in a shed in the back  
8 yard? That ain't no house.

9 Finally as I said, consider Dr. Hawkins'  
10 testimony regarding the dogs. Look at the  
11 pictures. Ask yourself why those dogs had to  
12 those chains around their necks like that. Why  
13 these animals had old scars, new scars. I mean we  
14 went over 15 out of 41. Those were the ones with  
15 the most extensive injuries. Ask yourself, you  
16 know, what is the purpose for that much medicine.  
17 And that's fine. I mean, you know, if you have a  
18 bunch of baby aspirin. But when you have large  
19 amounts of anti-inflammatory, penicillin type  
20 things where we are anticipating injuries, and  
21 anticipating having to get animals these medicines  
22 to make these injuries heal. I think that kind of  
23 draws a conclusion there.

24 And as I said, I have gone longer than I  
25 wanted to. But I am handing this over to you all

1 now. And I am going to ask you to find him guilty  
2 of the charge that he has been charged with. I  
3 want you to think about the testimony and the  
4 evidence. And I believe you will find beyond a  
5 reasonable doubt that Mr. Wright is guilty of the  
6 crimes he has been charged with. Thank you.

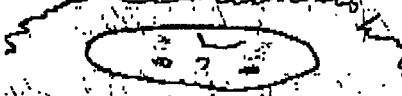
7 THE COURT: Mr. Foreman, and Ladies and  
8 Gentlemen of the jury, it is 12 o'clock. We are  
9 going to take a recess for lunch. I am going to  
10 ask you to reconvene at 1:45. 1:45 I will  
11 instruct you as to the law. And at that point and  
12 time, give you instructions to begin  
13 deliberations. Once again, it is not time for  
14 you. Although you have heard all the evidence.  
15 You've heard all the closing arguments. It's  
16 inappropriate to begin discussion of this case  
17 until such time as you have heard the law, and I  
18 give you the instructions to do so. Once again,  
19 do not discuss the case with anyone else. We will  
20 see you back at 1:45 sharp. There is nothing that  
21 is going to hold us up. We'll be ready to go at  
22 1:45.

23 (Whereupon, at 11:57 a.m. jury goes to  
24 lunch.)

25

is nothing I want to do for you and I know you will do  
 and we just got to start together. Now you know there  
 and I do him not to do that, but all that's done now  
 nothing to do with I told Lee man not to do this  
 are trying to give me jail for something I really had  
 the only person they want is me man and these cracks  
 and even not and everybody else and in this shit  
 that's not right. I'm with our case. Hammer  
 had from the start and the already see a lot of shit  
 to talk with all of us and he is really good. Good  
 out of Columbia that will be here today or tomorrow  
 for the the word everything I set a  
 put shit on paper that people don't see and  
 nobody talk to these investors because they will  
 that I don't know what was said but please don't  
 do for you because that's your rights and you have  
 question for nobody on there is nothing they can  
 you know for yourself that you don't have to  
 said everybody else still goes with the story. Hammer  
 great she said she talked with you and Lee and she  
 didn't know what you said but after talking with  
 for the investor and I was confused because I  
 had pressure was really high some one said I don't  
 what's going on I was really upset the other day and  
 I'm just writing you to keep you posted.

Hammer, Lee!  
 Yo!  
 based on Lee and Eric and Evia to get but to  
 them to say nothing for you baby but my father so you to  
 and get this together. I love you man save my life!



# HAMMER HAMMER HAMMER

What ever FOR me. So please tell everybody we will be out of here in no more than two weeks at the most. My

Read every letter I write to Leo so he will understand what's going on. Tell Leo my lawyer is his lawyer regardless how things seem we are going to be all the only way we don't and that's if someone says statements on me and I know you won't let me grand my life and the family down. These people really want my life. But tell Leo to promise he won't get nothing but pro bono and maybe a bit time by I will pay the price. Tell Leo the same people are taking over the case about the dogs so let them know the dogs are mine and have to gather because that's what we told them the last time they been with the Henses. But on the real these people don't know what they are doing. But tell Leo to say for the black skin dog with the tear in the pink legs say if they ask what she got lose on the chain and got on that new black dog in case they ask what happen to her leg and they might ask what happen to that black dog. It isn't nothing but one or two scratches on the black dog but that's all he got to say. Just tell them it was late at night and he had to brake them by his self. And the break stick was just in case something got lose. I love you and he it really my Mom but some more money on will cost more.

THE STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF SUMTER )  
 )  
 )  
 STATE OF SOUTH CAROLINA )  
 )  
 vs. )  
 )  
 GREG WRIGHT AND GWENDOLYN )  
 BURRIS, )  
 DEFENDANTS.)  
 \_\_\_\_\_)

GENERAL SESSIONS COURT  
 THIRD JUDICIAL CIRCUIT

AFFIDAVIT  
 (Release/Drop Charge)

TO THE PRESIDING JUDGE OF THE THIRD CIRCUIT:

I, Frank Wilson, a Defendant in the above captioned case, respectfully affirm and state the following:

I have been charged with seven other co- defendant's with PWID Marijuana and Trafficking in Cocaine (2 Counts) in Sumter county. I was arrested at my dwelling and all of the drugs and related items were found inside my shed. I hereby freely and voluntarily admit and claim responsibility for the drugs and related items that were found by the police on May 25, 2007. I gave this same information to the Presiding Judge of the Sumter Magistrate Court on June 19, 2007 at a joint preliminary hearing. I understand this admission may be used against me at a trial or plea in the future. I further state that none of the other persons charged with this incident had knowledge of or any thing to do with the drugs or related items that were found.

SWORN BEFORE ME THIS

Signed: Frank LEE Wilson

20<sup>th</sup> day of June 2007  
[Signature]  
 Notary Public of South Carolina

Address: 71 Johnston Road  
Sumter SC

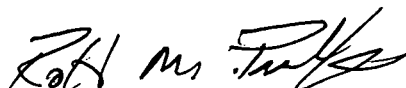
Phone #: None

My Commission Expires: June 25, 2008

## CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental 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 to the best of my ability, with 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."

September 11, 2012,



---

Robert M. Pachak  
Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, S. C. 29211-1589  
(803) 734-1330

ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Sumter County

Michael G. Nettles, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

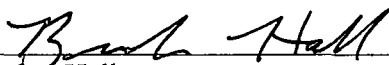
V.

GREGORY WRIGHT,

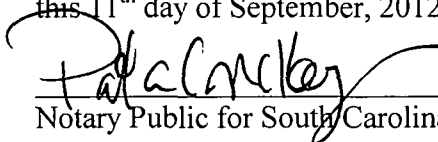
APPELLANT

\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

I certify that a true copy of the Supplemental Record on Appeal in the above referenced case has been served upon Salley W. Elliott, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 11th day of September, 2012.

  
\_\_\_\_\_  
Brandon Hall  
Administrative Specialist

SUBSCRIBED AND SWORN TO before me  
this 11<sup>th</sup> day of September, 2012.

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina

My Commission Expires: July 24, 2022.

**RECEIVED**  
SEP 11 2012

**SC Court of Appeals**