

STATE OF SOUTH CAROLINA

In The Court of Appeals

---

APPEAL FROM WILLIAMSBURG COUNTY

William Jeffrey Young, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

MARC PALMER

APPELLANT

APPELLATE CASE NO. 2013-000700

---

SUPPLEMENTAL RECORD ON APPEAL

---

RYAN L. BEASLEY, NO.68307  
RYAN L. BEASLEY, P.A.  
650 E. Washington Street  
Greenville, SC 29601  
(864) 679-7777 (phone)  
(864) 734-1397 (Fax)  
[rlb@ryanbeasleylaw.com](mailto:rlb@ryanbeasleylaw.com)

Robert M. Dudek  
Chief Appellate Defender  
South Carolina Commission on Indigent Defense  
Appellate Division  
1330 Lady Street, Suite 401  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330 (phone)  
(803) 734-1397 (Fax)

Attorney for Appellant

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General  
Office of the Attorney General  
PO Box 11549  
Columbia, SC 29211

(803) 734-3727

Attorneys for Respondent

INDEX

INDEX.....i  
TRIAL TRANSCRIPT PAGES 335 AND 336.....1  
CERTIFICATE OF COUNSEL.....3

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

see or make out a tag number from those vehicles?

A: No ma'am.

Q: And in terms of where Reardon's Garage would have been in connection with that surveillance tape. Would Reardon's Garage been here on the right?

A: On the right coming to the left.

Q: From the right coming toward the left?

A: Yes ma'am.

Q: Quick question. This is State's exhibit number 4. If Reardon's Garage is here and if this is C.E. Murray Boulevard here and if the shooting happened here. Where would the Money Saver be?

A: This is C.E. Murray correct?

Q: Yes and Reardon's Garage...

The Court: Have it where all the jurors can see it I think you're blocking a portion of it.

Q: Let me get you familiarized with where we are. If Reardon's Garage is here. If this is Wayne or Wesley Walker's house here. If this is Good Hope Baptist Church, if this is the shop and the fish market and that's the lodge here. Where would the Money Saver be if this is 521?

A: There.

Q: Back there?

A: Yes ma'am.

Ms. Barr: That's all I have thank you Judge.

1 The Court: Any recross based on her redirect?

2 Mr. Ballinger: No sir Your Honor.

3 The Court: Thank you, you may step down.

4 Ms. Barr: Your Honor at this time the State would rest.

5 The Court: Ladies of gentlemen of the jury this is an  
6 appropriate time for me to send you to lunch. I'm going to  
7 send you out if you could be back here right about two  
8 o'clock and we'll start right around then. Have a nice lunch  
9 do not discuss the case with anyone while you're out. You're  
10 going to get tired of me saying that but I will continue to  
11 say it, have a nice lunch.

12 **(Jury excused for lunch)**

13 The Court: Alright are there any motions to be made at  
14 this time?

15 Mr. Ballinger: Your Honor for the record Mr. Palmer  
16 would move for a directed verdict based on the lack of  
17 required evidence that's necessary to prove the elements of  
18 murder and the elements of possession of a weapon during the  
19 commission of a violent crime. Your Honor there's no  
20 physical evidence connecting Mr. Palmer to this incident,  
21 there's no murder weapon. Judge we believe the eye witness  
22 testimony is lack sufficiency again to submit this matter  
23 to the jury. We move for a directed verdict, thank you.

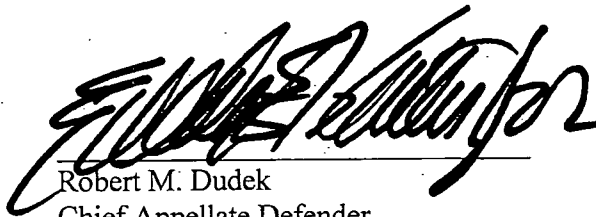
24 The Court: Ms. Barr?

25 Ms. Barr: Your Honor we would respectfully object,

## 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 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."

November 14th, 2014

A handwritten signature in black ink, appearing to read "R. M. Dudek", written over a horizontal line.

Robert M. Dudek  
Chief 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