

ORIGINAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DILLON COUNTY
William H. Seals, Jr., Circuit Court Judge

Appellate Case No: 2014-0002714

RECEIVED
JUN 24 2016
SC Court of Appeals

THE STATE

RESPONDENT,

v.

DAEVON HEZZIE WILLIAMS

APPELLANT.

SUPPLEMENTAL RECORD ON APPEAL

LANELLE C. DURANT
Appellate Defender

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

ATTORNEY FOR APPELLANT

ALAN WILSON
Attorney General

J. BENJAMIN APLIN
Senior Assistant Deputy Attorney General

Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211
(803)734-3727

ATTORNEYS FOR RESPONDENT

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DILLON COUNTY
William H. Seals, Jr., Circuit Court Judge

Appellate Case No: 2014-0002714

THE STATE

RESPONDENT,

v.

DAEVON HEZZIE WILLIAMS

APPELLANT.

SUPPLEMENTAL RECORD ON APPEAL

LANELLE C. DURANT
Appellate Defender

ALAN WILSON
Attorney General

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

J. BENJAMIN APLIN
Senior Assistant Deputy Attorney General

Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211
(803)734-3727

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

INDEX

TRIAL TRANSCRIPT PAGE 109	1
TRIAL TRANSCRIPT PAGE 110.....	2
CERTIFICATE OF COUNSEL:.....	3

1 THE COURT: Defense.

2 MR. SCALES: No objection, Your Honor.

3 THE COURT: Go ahead and bring them on out. There
4 you go, Madam Court Reporter.

5 (WHEREUPON, the jury panel enters the courtroom at
6 At 3:55 p.m.)

7 THE COURT: Members of the jury, when a matter is in
8 dispute it isn't always easy for two people to agree much
9 less 12 people to agree. In most cases absolute certainty
10 can't be reach of expected. However, you have a duty to
11 make every reasonable effort to reach a unanimous verdict.

12 In doing this you should consult with one another,
13 express your own views, and listen to the opinions of your
14 fellow jurors. Tell each other how you feel and why you
15 feel that way. Discuss your differences with an open
16 mind. Although the verdict of the jury must be unanimous
17 every one of you has a right to your own opinion.

18 The verdict you agree to must be your own verdict.
19 The result of your own conviction, and you should not give
20 up your firmly held beliefs merely to be in agreement with
21 your fellow jurors. The majority should consider the
22 minority's position and vice versa. You should carefully
23 consider and respect the opinions of each other and
24 reevaluate your position for fairness, correctness, and
25 impartiality. You must lay aside all outside matters and

1 reexamine the questions before you based on the law and
2 the evidence of this case.

3 If you do you agree on a verdict in this case I will
4 have to declare a mistrial. In that situation it does not
5 mean anybody wins. It just means that at some future time
6 I will try this case with some other jury sitting where
7 you sit now. The same participants will come and the same
8 lawyers will ask basically the same questions and get
9 basically the same answers and we will go through the
10 whole process again.

11 Now, in this regard you were selected in the same
12 manner and the same sources as any future jury will be.
13 And there is no reason for me to believe that the case
14 will ever be submitted to 12 more intelligent jurors than
15 you. Or that more or clearer evidence will be produced on
16 one side or the other.

17 I therefore ask that you return to your deliberations
18 with the hope that you can arrive at a verdict within a
19 reasonable amount of time. If you would retire to the
20 jury room and resume. If you have a problem at a future
21 time let me know. Thank you.

22 (WHEREUPON, the jury panel was excused from the
23 courtroom at 3:57 p.m.)

24 THE COURT: Any objection to the charge from the
25 State?

CERTIFICATE OF COUNSEL

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.

BY: 
Benjamin Aplin
S.C. Bar No: 8729

June 24, 2016

RECEIVED
JUN 24 2016
SC Court of Appeals