

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Berkeley County
The Honorable Deadra Jefferson, Circuit Court Judge

JAN 16 2018
SC COURT OF APPEALS

THE STATE,

Respondent,

vs.

TELLY DARNELL MCCLAM,

Appellant.

Appellate Case No. 2016-0001793

SUPPLEMENTAL RECORD ON APPEAL

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JURY CHARGE

1 what appeared to be a firearm and/or visibly
2 displayed a knife during the commission of a
3 violent crime.

4 A firearm means any machine gun,
5 automatic rifle, revolver, pistol, or any weapon
6 which will, is designed to, or may be readily
7 converted to expel a projectile. A knife means an
8 instrument or tool with a sharp cutting blade,
9 whether or not fastened to a handle, which can be
10 used to inflict a cut, slash, or wound.

11 In order to find the defendant guilty
12 of possession of a weapon during the commission of
13 a violent crime, you must first find the defendant
14 guilty of either committing a violent crime or
15 attempting to commit a violent crime. I instruct
16 you that kidnapping is a violent crime as defined
17 by South Carolina Code Section 16-1-60. I further
18 instruct you that the State must also prove beyond
19 a reasonable doubt that the weapon furthered,
20 advanced or helped in the commission of the crime.

21 The defendant is charged with unlawful
22 possession of a firearm by a person convicted of a
23 violent offense. The State must prove beyond a
24 reasonable doubt that the defendant was convicted
25 of a violent crime, as defined by section 16-1-60

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CERTIFICATE OF COUNSEL

The undersigned certifies that this Supplemental Record On Appeal complies with Rule 211(b), SCACR, and 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."

Respectfully submitted,

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January 16, 2018