STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

ORIGINAL

Certiorari to Supreme Court County

Honorable J. Michael Baxley, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

GERALD RUDELL WILLIAMS,

PETITIONER

APPELLATE CASE NO. 2018-000994

BRIEF OF PETITIONER

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QUESTIONS PRESENTED

1.

Whether the Court of Appeals erred in affirming the trial court's charge of transferred intent for attempted murder?

2.

Whether the Court of Appeals erred in finding harmless the trial court's erroneous refusal to charge the lesser included offense of first-degree assault and battery?

STATEMENT OF THE CASE

On July 9, 2013, a Saluda County grand jury indicted petitioner Gerald Rudell Williams for three counts of attempted murder. R. 762 – R. 767. On October 14, 2013, petitioner was tried before the Honorable J. Michael Baxley and a jury. R. 1. Ervin J. Maye represented the State. R. 1. Bennett E. Casto and Robert M. Madsen represented petitioner. R. 1. The jury convicted petitioner. R. 722, l. 23 – 723, l. 17. Judge Baxley sentenced petitioner to concurrent terms of twenty years' imprisonment. R. 738, ll. 4 – 11. After hearing oral argument on March 14, 2017, the Court of Appeals affirmed in a published opinion authored by Judge Williams and joined by Judges Konduros and Lee. State v. Williams, 422 S.C. 525, 812 S.E.2d 917 (2018). After the Court of Appeals denied rehearing, this Court granted certiorari on October 18, 2018, and this brief of petitioner follows.

STANDARD OF REVIEW

The standard of review on Question One is *de novo*. Whether the attempted murder statute allows intent to be transferred is a purely legal question and legal questions are reviewed *de novo*. Sellner v. State, 416 S.C. 606, 610, 787 S.E.2d 525, 527 (2016). The standard of review on Question Two is whether the trial court's error was harmless beyond a reasonable doubt. State v. Middleton, 407 S.C. 312, 317, 755 S.E.2d 432, 435 (2014).

ARGUMENT

1.

The Court of Appeals erred in affirming the trial court's charge of transferred intent for attempted murder.

Factual and Procedural Background

Al Jerome Young ("Young") was a drug dealer. R. 270, ll. 18 – 22. He had a prior conviction for giving a false name to law enforcement. R. 270, l. 23 – 271, l. 1. Young testified that in April 2012, he met a man named Orienthal James Charley ("Charley") concerning a drug deal. R. 272, ll. 18 – 24. Charley gave him $26,000.00 in cash. R. 272, l. 25 – 273, l. 1. Young never intended to deliver the drugs and agreed with the solicitor that his intention was "to rip [Charley] off." R. 273, ll. 2 – 13.

Young testified that on the night of April 13, 2012, he was at home when he heard the dog barking. R. 275, ll. 3 – 9. Also in Young's house were Ycedra Williams ("Ycedra") and Joseph Wrighton ("Joseph"). R. 275, ll. 3 – 22. According to Young, Ycedra "saw two guys running in the yard and that's when she yelled out." R. 275, ll. 3 – 9. Young grabbed his money and .40 caliber pistol and told Ycedra to turn off all the lights. R. 275, ll. 10 – 14. Ycedra called the police. R. 275, ll. 15 – 18. As Joseph walked to the door, "shots rang out." R. 275, l. 19 – 276, l. 5. Young returned fire. R. 276, ll. 1 – 5. When the police ultimately arrived, Young told Joseph and Ycedra to tell them he was not there because he had a probation warrant. R. 276, l. 19 – 277, l. 15. Both Ycedra and Joseph admitted pleading guilty to giving false information to police for lying about Young not been being present. R. 237, ll. 3 – 7. R. 258, ll. 1 – 19.

Young claimed he never went outside during the exchange of gunfire, but said that he had fired his weapon in his backyard on a previous occasion. R. 274, ll. 1 – 12. R. 276, ll. 16 – 18. Multiple .40 caliber shell casings were found in the yard. R. 513, l. 9 – 514, l. 5. R. 369, ll. 14 – 21. Three different firearms were collected from the scene. R. 373, l. 17 – 374, l. 8. No one was injured and none of the people in the house identified petitioner as one of the shooters.

Ycedra testified that a few days before the gunfight, she saw people come to Young's trailer looking for him in a van. R. 221, l. 5 – 222, l. 17. Ycedra saw five people in the van. R. 221, ll. 19 – 24. Petitioner was Ycedra's second cousin and she did not identify petitioner as being with the people in the van. R. 217, l. 22 – 218, l. 3. R. 240, ll. 18 – 20.

The night of the gunfight, the police were looking for Charley and his green van. R. 151, l. 18 – 153, l. 9. When the 911 call came, police officer Jerry Grenier ("Grenier") was on patrol and answered the call. R. 296, l. 1 – 297, l. 17. On the way to the call, he noticed a minivan parked on the side of the road. R. 297, l. 18 – 299, l. 13. Officer Grenier and his partner checked the van and called Officer Brett Long ("Long") to ask him to watch the vehicle for them so they could respond to the scene of the shooting. R. 297, l. 18 – 299, l. 13.

Officer Long found a green colored minivan by the side of the road. R. 323, ll. 5 – 11. He pulled behind the van. R. 324, l. 5 – 326, l. 10. He turned on his bright headlights and his blue lights. R. 324, ll. 14 – 16. He saw a person who "undoubtedly was laying in the ditch beside the van" stand up and face him. R. 324, ll. 14 – 18. Officer Long got out of his car and ordered the person to stop and show him his hands. R. 324, ll. 14 – 21. The person then got into the passenger side of the van and it slowly drove away. R. 324, l. 14 – 325, l. 17.

Officer Long got in his car to follow the van and notified the other officers. R. 325, ll. 1 – 17. Officer Grenier pulled his car in front of the van to box it in. R. 325, ll. 18 – 23. The van

stopped. R. 325, ll. 18 – 25. The police testified they found petitioner driving the van and Charley on the passenger side. R. 326, l. 23 – 327, l. 8.

Charley testified for the defense and, as the Court of Appeals noted, his direct-examination and cross-examination contradicted each other.[1] R. 578, ll. 1 – 10. Williams at 920, n.4. On direct-examination, Charley testified that he told petitioner he would pay him to drive Charley and a man named Rico that night. R. 586, l. 5 – 587, l. 11. Charley told petitioner he was "going to see some girls." R. 587, ll. 23 – 25. Charley never told petitioner anything about a shooting, or guns, or his dispute with Young. R. 588, ll. 1 – 13.

While petitioner waited in the van, Charley and Rico went to Young's trailer. R. 592, l. 3 – 593, l. 7. Charley heard Young shout. R. 593, ll. 14 – 21. Young opened the door of the trailer and fired two shots in the air. R. 594, ll. 2 – 6. Charley then fired one shot in the air and his gun jammed. R. 594, ll. 9 – 21. Charley ran. R. 594, ll. 24 – 25. Charley said Rico "had to shoot." R. 594, l. 17 – 18. When Charley got into the van, he said the police pulled up "within five seconds." R. 595, ll. 16 – 23. Petitioner was still in the van when Charley returned. R. 595, ll. 16 – 18.

On cross-examination, the solicitor immediately confronted Charley with the fact that he had already pled guilty but had not yet been sentenced. R. 603, l. 21 – 606, l. 14. Charley responded that he believed he was going to receive a sentence of eight years. R. 606, ll. 4 – 6. The solicitor accused Charley of "double-crossing the State." R. 606, ll. 15 – 19.

After the solicitor accused Charley of a double-cross and mentioned his plea deal, Charley recanted his direct-examination testimony and implicated petitioner in the shooting. R.

[1] During post-trial motions, Judge Baxley called Charley "probably the most noncredible witness I think I've ever seen in 14 years of this job." R. 734, ll. 15 – 22.

607, l. 13 – 633, l. 24. Under intense questioning from the solicitor, Charley said petitioner was with him at the scene of the shooting and that there was no "Rico." R. 607, l. 13 – 613, l. 25.

However, Charley was adamant that Ycedra and her brother were not in the house at the time of the shooting. R. 617, ll. 8 – 23. Charley testified that he knew they were not there because the van that Ycedra drove was not in the yard. R. 617, ll. 8 – 23. Charley testified he had no "beef" with Ycedra and no "beef" with Joseph. R. 617, l. 24 – 618, l. 5. When asked why he would have "shot the whole house up not caring about whether they lived or died," Charley responded, "I can't say I was not caring about whether they lived or died. He shot, so I shot in the air, that's how it happened." R. 618, ll. 6 – 11. Charley claimed petitioner shot, but did not know the direction that petitioner fired. R. 620, ll. 9 – 13. When shown a picture of the trailer, Charley explained that some of the bullet holes could have come from inside the trailer. R. 629, ll. 4 – 21.

The Trial Court's Charge, the Objection Below, and the Court of Appeals' Decision

Petitioner objected to the trial court's charge on transferred intent. R. 715, l. 18 – 716, l. 7. The State requested the charge. R. 716, ll. 8 – 21. Petitioner argued:

> We object to the transfer[red] intent charge. Generally speaking, transferred intent is, is—I understand it is shooting at a specific person and missing and hitting another. I don't believe that the facts of this case support that charge. You know, here I think it's stated that the theory of malice just because there is a shooting. And we would respectfully object to the transfer[red] intent charge, Your Honor.

R. 715, l. 23 – 716, l. 7. The trial court granted the State's request to charge transferred intent over petitioner's objection, noting that, even giving him the benefit of the facts of the case, petitioner was accused of shooting into a house with people "he did not know were there." R. 716, ll. 8 – 21. The trial judge explained that "the Court was concerned that the jury may

believe, after charging that intent is necessary, that the defendant had no intent to harm those individuals." R. 716, ll. 8 – 21.

The Court of Appeals recognized that King held that attempted murder requires specific intent, but nevertheless ruled that the doctrine of transferred intent applied. State v. King, 422 S.C. 47, 810 S.E.2d 18 (2017); Williams, 812 S.E.2d at 924-26. The court used cases decided before the enactment of the attempted murder statute to conclude that "South Carolina's criminal laws require the imposition of the doctrine of transferred intent." Id. The court's reasoning on this novel issue is not compelled by prior decisions of this Court and contradicts both King and the sound reasoning from other jurisdictions that the legal fiction of transferred intent is completely unnecessary for attempted murder.

The Court of Appeals erred by relying on cases whose applicability after the Legislature's passage of the attempted murder statute is, at best, questionable. Attempted murder did not exist in South Carolina prior to its creation by the Legislature in 2010. See State v. Sutton, 340 S.C. 393, 398-99, 532 S.E.2d 283, 286 (2000) ("We decline to recognize a separate offense of attempted murder."); S.C. Code Ann. § 16-3-29; King at 62, 810 S.E.2d at 25-26 (noting that the attempted murder statute was part of legislation passed in 2010). The Court of Appeals' decision is the first in South Carolina to address whether transferred intent applies to statutory attempted murder with the element of specific intent.

The primary case the court relied on, State v. Fennell, was decided in 2000 and dealt with the question of transferred intent under the abolished crime of assault and battery with intent to kill ("ABIK"). State v. Fennell, 340 S.C. 266, 531 S.E.2d 512 (2000). ABIK did not require specific intent. King at 57-64, 810 S.E.2d at 23-27, analyzing, *inter alia*, State v. Foust, 325 S.C. 12, 479 S.E.2d 50 (1996), Sutton, and State v. Kinard, 373 S.C. 500, 646 S.E.2d 168 (Ct. App.

2007). Because petitioner was charged with a statutory crime that did not exist in 2000, and that this Court expressly declined to recognize under the common law, cases like Fennell do not compel the conclusion that because transferred intent applied to ABIK it must also apply to attempted murder. Especially after this Court decided in King that attempted murder is a specific intent crime, the question of transferred intent's applicability remained an open question until the Court of Appeals' decision in petitioner's case.

Considering the careful analysis given to the Legislature's intent in King, South Carolina should adopt the rationale of a jurisdiction like Alabama, which declined to read transferred intent into its statutory crime of attempted murder. Cockrell v. State, 890 So.2d 174 (Ala. 2004). The Alabama Supreme Court's decision in Cockrell is well-researched and cites the differing points of view around the nation, including South Carolina law as it existed under ABIK. Id. at 175-82. After analyzing the various rules adopted by other jurisdictions and the intent of the Alabama legislature, the court applied the rule of lenity and determined that it would not adopt transferred intent for attempted murder. Id. at 180-82.

Particularly helpful from Cockrell is the concurrence of Justice Harwood. Id. at 183-84. Justice Harwood wrote separately to emphasize that the Alabama legislature had "'covered all the bases'" with both attempted murder and the different degrees of assault and battery. Id. He wrote, "This complete allocation of criminal culpability under a comprehensive legislative scheme furnishes some insight concerning the legislative intent regarding the applicability of the doctrine of transferred intent to the offense of attempted murder." Id. South Carolina's comprehensive statutory scheme enacted in 2010 along with the attempted murder statute created new degrees of assault and battery. See S.C. Code Ann. § 16-3-600. The logic of Justice Harwood's concurrence carries equal force in South Carolina.

Just as in Alabama, our Legislature "covered all the bases" with attempted murder and the different degrees of assault and battery. If an unintended victim dies, the defendant can be prosecuted for murder because it remains a general intent crime and the intent can be transferred. If an unintended victim lives, the defendant can be prosecuted for attempted murder for the intended victim and one of the assault and battery crimes enacted by the Legislature according to the degree of intent and harm.

The Alaska Supreme Court recognized both this rationale of applying the varying degrees of assault and battery given by the legislature and the absurd results that can arise from applying transferred intent to attempted murder in Ramsey v. State, 56 P.3d 675 (Alaska 2002). Ramsey dealt with a tragic school shooting. Ramsey, 56 P.3d at 676-77. The defendant walked into a high school cafeteria with a shotgun and pointed it at a student named Palacios. Id. When Palacios turned around, the defendant fired. Id. The shotgun blast killed Palacios and pellets from the shotgun injured two other students, SM and RL.[2] Id.

The Ramsey court dealt with the question of whether the defendant's specific intent to kill Palacios could be transferred to SM for attempted murder. Id. at 680-83. After noting the split in jurisdictions on the issue, the Alaska Supreme Court decided not to apply transferred intent to its attempted murder statute which, like South Carolina's, required specific intent. Id. The court explained part of its reasoning by carrying the prosecution's argument to its logical, but absurd, conclusion:

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[2] The defendant continued his rampage through the school. Id. He fired into the ceiling and pointed a gun at other teachers. Id. He shot and killed the principal. Id. He fired at police officers who responded to the shooting, but then surrendered. Id. The defendant was ultimately convicted of two counts of first-degree murder, one count of first-degree attempted murder, and fifteen counts of third-degree assault. Id. A note left behind by the defendant provided some evidence that the principal was the defendant's primary focus, but also indicated that he intended to kill other, unidentified individuals. Id. at 677.

> The problem with the State's argument is that its logic leads to the conclusion that Ramsey could have been found guilty of the attempted murder of everyone in the school. The jury certainly found that Ramsey intended to cause the death of Palacios. And because his actions would have placed almost any reasonable person in the school in fear of serious physical injury, it is hard to say where the State's attempted murder theory would stop. A defendant can be found guilty of attempted murder whether or not he actually injures his intended victim. Therefore, the State's argument, carried to its logical extension, would allow it to convict Ramsey of the attempted murder of everyone in the building.

Id. at 681-82. Like the concurrence in Cockrell, the Alaska court rejected this absurd result by relying on its legislature's creation of multiple degrees of assault and battery. Id. at 682-83. The court held the jury should have been instructed that it needed to find that Ramsey had the specific intent to kill SM to find him guilty of attempted murder and needed to assess Ramsey's criminal intent and actions as to each of the remaining victims under the different degrees of assault and battery. Id.

Like Alaska and Alabama, South Carolina's Legislature enacted a comprehensive statutory scheme for attempted murder and assault and battery. South Carolina also requires specific intent for attempted murder. The judicially created fiction of transferred intent is simply not required in this state to fully punish a defendant or to correctly charge a jury.

The Alaska court's rationale serves a workable balance when a trial court is confronted with a case with horrific facts like the school shooting in Ramsey. Rejecting transferred intent does not mean that a mass shooter or bomber like Ramsey cannot be charged with multiple counts of attempted murder. It only means the state cannot rely on transferred intent to convict the defendant of multiple counts of attempted murder. For example, no evidence suggests the shooter in Las Vegas intended to kill any one person at the music concert, but it certainly suggested he specifically intended to kill every person at the concert. Nothing would prevent the State from charging a mass shooter or bomber with the attempted murder of multiple victims in

such a scenario. But such monsters are different from a defendant who may have the intent to kill a specific person, but misses. Rejecting transferred intent for attempt crimes does not deprive the State of any necessary tool to fully prosecute criminals and ensures that the law prevents overreaching by the State in other cases.

Also indicating that this Court should reach the same result is the rule of lenity. The Supreme Court of Connecticut applied the rule of lenity to reject transferred intent for attempted murder. State v. Hinton, 630 A.2d 593, 600-02 (Conn. 1993). "A defendant can still be prosecuted for his intent to kill and conduct aimed at killing the intended victim whether a third party is killed or no one is even injured." Id. "The doctrine of transferred intent, generally considered a necessary fiction, is therefore not necessary to prosecute for attempted murder a defendant whose aim was poor." Id. Just like South Carolina, Connecticut applies the rule of lenity. Id. See also State v. Blackmon, 304 S.C. 270, 273, 403 S.E.2d 660, 662 (1991) ("Finally, when a statute is penal in nature, it must be construed strictly against the State and in favor of the defendant."). The rule of lenity, combined with the force of its own logic, led the Hinton court "to conclude that the transferred intent doctrine should not be applied to the crime of attempted murder." Hinton, 630 A.2d at 602.

California also rejects the doctrine of transferred intent for attempted murder. People v. Smith, 124 P.3d 730, 739-40 (Cal. 2005). Attempted murder in California requires the specific intent to kill. Id. at 734. California recognizes transferred intent for murder, but not attempted murder. Id. at 735. California interprets specific intent as the intent to kill a specific victim. Id. "Whether the defendant acted with the specific intent to kill 'must be judged separately as to each alleged victim.'" Id. quoting People v. Bland, 48 P.3d 1107 (Cal. 2002).

The facts of Smith are instructive. The defendant fired a single shot into a car, narrowly missing both a baby and its mother. Id. at 736-37. He was found guilty of attempted murder of both the baby and the mother. Id. The court distinguished motive and intent. Id. Like in South Carolina, motive is not required. Id. However, because the defendant knew both the baby and the mother were in his line of fire, the court found specific intent as to both victims with no need for transferred intent. Id. at 737-38. Here, the jury should have decided whether petitioner knew Ycedra and Joseph were in the trailer and whether he formed the specific intent to kill them.

In State v. Brady, 903 A.2d 870 (Md. 2006), the Court of Appeals of Maryland considered its own tumultuous precedent and cases from other jurisdictions and decided not to apply transferred intent to attempted murder. The Brady court noted that in 1988, it initially decided that transferred intent would apply to attempted murder, but four years later, in 1993, reversed course. Id. at 876-78 citing State v. Wilson, 546 A.2d 1041 (Md. 1988) and Ford v. State, 625 A.2d 984 (Md. 1993). The defendant in Brady shot at a fleeing apartment resident, missed, and injured another resident. Brady, 903 A.2d at 882-83. The court held that the defendant could be "convicted only of the attempted murder of the intended victim and transferred intent does not apply." Id.

This Court should adopt the reasoning of states like Alabama, Alaska, California, Connecticut, and Maryland. These courts' analyses apply with great force in South Carolina because here, a defendant can be charged with the attempted murder of his intended victim even if the intended victim is not injured. We also require specific intent. Unlike murder, a defendant cannot "get away with" attempted murder if his aim fails and can be fully punished under the law. Refusing to expand the judicially created fiction of transferred intent gives effect to our Legislature's statutory scheme.

The Doctrine of Transferred Intent also Conflicts with State v. King

Rejecting transferred intent would also be consistent with this Court's opinion in King. King's recognition that the Legislature made specific intent an element of statutory attempted murder is addressed in the Court of Appeals' decision, but the court failed to recognize the impact of King and its statutory analysis is flawed. The court concluded that specific intent does not require a specific victim, erroneously relying on the Legislature's use of "another person." Williams, 812 S.E.2d at 925-26. Had the Legislature intended the result found by the court, it would have used the more general, "any person" or "persons." "Another person" is singular and means one person—a specific person or a specific group of people. Further compelling this result is the rule of lenity, which the court failed to address in its opinion. See State v. Blackmon, 304 S.C. 270, 273, 403 S.E.2d 660, 662 (1991) ("Finally, when a statute is penal in nature, it must be construed strictly against the State and in favor of the defendant.").

The Court of Appeals' decision also waters down the element of specific intent to the point where, if its decision stands, its meaning would be hard to distinguish from general intent. The court, in contradiction of both the majority and dissent in King, assumed malice can be inferred or implied even though attempted murder requires specific intent. Williams, 812 S.E.2d at 925-26. King states that without express malice or specific intent, a "crime would involve a lower level of intent and, thus, would fall within the lesser degrees of the assault and battery offenses codified in section 16-3-600." King at 26-27, n.5, 810 S.E.2d at 63-64, n.5. The dissent in King agreed with the majority that, after its ruling, the notion of implied malice for specific intent crimes would be problematic. Id. at 73-74, n.9, 810 S.E.2d at 32, n.9. Transferred intent is just another way to infer or imply malice and King indicates that doing so for a specific intent

crime is improper. Because nothing in King supports the Court of Appeals' application of the transferred intent doctrine, this Court should reverse.

2.

The Court of Appeals erred in finding harmless the trial court's erroneous refusal to charge the lesser included offense of first-degree assault and battery.

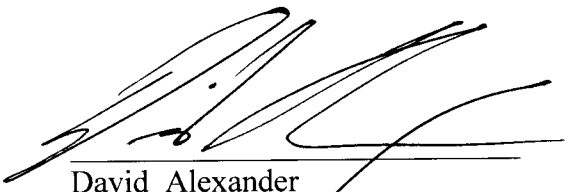
The Court of Appeals correctly found that the trial judge erred in refusing to charge the lesser included offense of first-degree assault and battery, but incorrectly found this error to be harmless. To reach this conclusion, the court only used Charley's testimony during his cross-examination and discarded his testimony during his direct-examination. Williams, 812 S.E.2d at 922-23. In doing so, the court essentially made its own credibility finding and improperly weighed the evidence. Weighing credibility usurps the jury's function and fails to recognize that inconsistencies in a witness's testimony must be resolved by the jury. See State v. Light, 378 S.C. 641, 648-49, 664 S.E.2d 465, 468-69 (2008). In Light, the defendant gave "inconsistent stories," but the trial court erred in refusing to give a lesser included offense instruction and the Supreme Court reversed. Id.

The jury was entitled to decide which parts of Charley's testimony were true. The jury was also free to discard Charley's testimony entirely. Credibility determinations are not made on appeal and when a case hinges on credibility, an error cannot be harmless. See State v. Stukes, 416 S.C. 493, 500, 787 S.E.2d 480, 483 (2016) (holding that an error could not be harmless because the "case hinged on credibility"). The court's opinion says "the facts of this case fit" the lesser included offense, but does not state which facts necessitate giving the charge. Williams, 812 S.E.2d at 922. These facts necessarily include Charley's testimony during direct-examination. The court's opinion is therefore inconsistent in using part of Charley's testimony to find that a lesser included offense charge was warranted but another part of Charley's testimony to find the error harmless. Picking and choosing which parts of Charley's testimony to

believe is a jury function. Charley may well have been a terrible witness, as the trial judge certainly believed, but defendants are entitled to have juries evaluate even bad witnesses' credibility. Furthermore, if this Court holds that transferred intent does not apply, then this error certainly cannot be harmless. This Court should reverse so that a properly instructed jury can weigh credibility and decide between the greater and lesser offenses.

CONCLUSION

For the foregoing reasons, this Court should reverse petitioner's convictions and remand this case for a new trial.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER

This 16th day of November, 2018.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Saluda County

Honorable J. Michael Baxley, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

GERALD RUDELL WILLIAMS,

PETITIONER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Brief of Petitioner in the above referenced case has been served upon William F. Schumacher, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201; and a copy of the Brief of Petitioner have been served on Gerald R. Williams, #279073, at Lee Correctional Institution, 990 Wisacky Hwy., Bishopville, SC 29010, this 16th day of November, 2018.

David Alexander
Appellate Defender
ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 16th day of November, 2018.

(L.S)
Notary Public for South Carolina
My Commission Expires: May 2, 2027.