

RECEIVED
APR 10 2013
SC Court of Appeals

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM FLORENCE COUNTY

Michael G. Nettles, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

SCOTT LEE,

APPELLANT

APPELLATE CASE NO. 2012-210830

SUPPELMENTAL RECORD ON APPEAL

KATHRINE H. HUDGINS
Appellate Defender

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

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

Attorney for Respondent

INDEX

INDEX.....i

STATES EXHIBIT #1 MIRNADA WARNING1

STATES EXHIBIT # 2 STATEMENT AND INTERVIEW FORM.....2

STATES EXHIBIT #35-40 REDACTED LETTERS.....3

COURTS EXHIBIT #2-8 UNREDACTED LETTERS.....25

CERTIFICATE OF COUNSEL.....54



FLORENCE COUNTY SHERIFF'S OFFICE
WILLIAM K. "KENNEY" BOONE, SHERIFF

MIRANDA WARNING

CASE# 2010-12-463 LOCATION: FCSO

DATE: 02/09/11 TIME: 4:50 pm

THE CONSTITUTION REQUIRES (I/ WE) INFORM YOU THAT:

- 1.) YOU HAVE THE RIGHT TO REMAIN SILENT.
- 2.) ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW.
- 3.) YOU HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM PRESENT WITH YOU WHILE YOU ARE BEING QUESTIONED.
- 4.) IF YOU CAN NOT AFFORD TO HIRE A LAWYER, ONE WILL BE APPOINTED TO REPRESENT YOU BEFORE ANY QUESTIONING, IF YOU WISH.
- 5.) YOU CAN DECIDE AT ANYTIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.
- 6.) DO YOU UNDERSTAND EACH OF THESE RIGHTS AS I HAVE EXPLAINED THEM TO YOU? yes
- 7.) HAVING THESE RIGHTS IN MIND DO YOU WISH TO TALK TO US NOW? yes

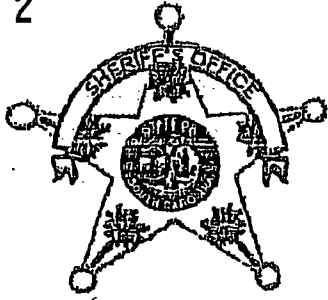
Scott Lee
 NAME
2907 Lamb Rd
 ADDRESS
Florence SC
 CITY STATE

WAIVER OF RIGHTS

I HAVE READ THIS STATEMENT OF MY RIGHTS AND UNDERSTAND WHAT MY RIGHTS ARE. I AM WILLING TO MAKE A STATEMENT AND ANSWER QUESTIONS. I DO NOT WANT A LAWYER AT THIS TIME. I UNDERSTAND AND KNOW WHAT I AM DOING. NO PROMISES OR THREATS HAVE BEEN MADE TO ME AND NO PRESSURE OF ANY KIND HAS BEEN USED AGAINST ME BY ANYONE.

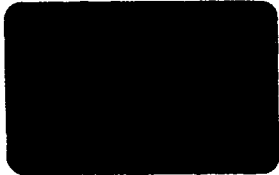
SIGNED: Scott Lee TIME: 4:50 pm
 WITNESS: [Signature] WITNESS: Kathleen [Signature]

6719 FRIENDFIELD ROAD EFFINGHAM, SOUTH CAROLINA 29541
 SHERIFF (843)665-2121 DETENTION CENTER (843)665-9944



FLORENCE COUNTY SHERIFF'S OFFICE

WILLIAM K. "KINNEY" BOONE, SHERIFF



STATEMENT AND INTERVIEW FORM

TODAY'S DATE: 02/09/11 TIME: 4:40 pm

LOCATION: FCSO

INCIDENT DATE: 12/17/10 CASE #: 2010-12-463

REFERENCE TO: MURDER

LAW ENFORCEMENT PRESENT: _____

SUBJECT'S NAME: Scott LEE

SUBJECT'S ADDRESS: 2967 LAMB

CITY: FLORENCE STATE: SC ZIP: _____

HOME PHONE #: (843) WORK PHONE #: () _____

DOB: 7/10/76 AGE: 34 SS#: 250-59-0895

HEIGHT: 510 WEIGHT: 215 HAIR COLOR: BRN SEX: M

PLACE OF WORK OR SCHOOL: NO

*****QUESTIONS BELOW ARE OPTIONAL*****

EDUCATION COMPLETED: 10th

UNDER THE INFLUENCE OF DRUGS OR ALCOHOL AT THIS TIME? NO

ARE YOU COMFORTABLE MAKING THIS STATEMENT HERE? YES

HAVE YOU BEEN THREATENED OR MISTREATED IN ANY WAY TO MAKE THIS STATEMENT? No

Thanks for the kind words Bro.

Gene, April 15th 2011 ☺

What's up Bro. I wonder what
you're doing tonight?

[Redacted]

Have like 7 more

bars in a bag like days ago

[Redacted]



[REDACTED]
SCOTT WALKER

[REDACTED]

[REDACTED]

GENE OWENS
1523 CROMER LANE
FLORENCE S.C. 29506

FLORENCE SC 295

21 MAR 2011 PM 2 T



2950695153



[REDACTED] hadn't had
any sleep at the time. I mean
literally 19 hrs before [REDACTED] I
saw my best friend get killed gene so
I know I wasn't in my right mind
at all. I'd been straight for years
and all that changed as soon as
I got home that night. I think I
took 5 blue xanax's and a couple shots
of Crown Royal, time as I walked back
in the door, and then I grabbed my
house phone to call the police and
that's when I realized I couldn't
really describe a fuckin thing but the
color of the SUV or sedan and
I just bowed out. I just felt
is if I couldn't tell the cops who
done it beyond any kind of doubt
then I'd be the last one with
mike and I felt like I'd get
sharped and looked what happened.

could have never went with him
in one hand, but on the other hand
That's my doggy man an he needed
I felt like he needed someone with
him and I'd probably go with him
again man. I don't know if what
I done was right or wrong I just
was scared as hell gene, hell it still
scares the hell out of me everytime
I relive this fuckin shit. I can't
sleep hardly and when I do I
dream some really bad dreams - to
where I don't want to go back to
sleep.

Dec 11th 2011 Friday night 8 pm or so
I've been in hell Gene. My life will
never be the same, even if they
get them Motherfuckers!

[REDACTED] I think that they think they got
 these men and they really don't
 have a clue as to what happened
 that night gone [REDACTED]

[REDACTED]

no one told I was with him until the
 guys were pulled on us. It's a wonder
 I'm still breathing. In fact if Mike
 wouldn't have brought the sawed
 off I would be dead I think.
 In fact I'm having nightmares about

88
right time as they shoot mikey
the other guy puts the shot gun to
my head - plomps a round in the
chamber and I wake up in a
cold sweat duole and this nightmare
is coming to me over and over and
over man. Sometimes I wish I would
not have shot at them first, but I
thought I could save us man I seen
no other choice gene, Mike had a pistol
in his face wid the hammer cocked
when I came up off the dirt and
he seen me and stopped it and that's
when I cut loose then the other
guy came out shooting with another
shot gun, I mean for about 60 or
70 seconds it seemed like I was in
the wild wild west. Can't believe
I'm here with these fuckin charges



I don't know what to do about anything gone. I'm scared if I talk to the cops that I'll make it even worse on myself than it already is and on the other hand I'm scared if I don't I'll make it worse than it already is. I don't know what's right and I don't know what's wrong in any of this shit. All I do know is that they have the wrong person charged with this murder man. If you have any kinda advise please tell me cause I don't know what to do man.

Later Bro!

Scott Lee

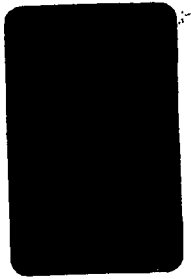
(5)
 If you still
 that mess in it
 I'd send it to me!
 sure will send

[REDACTED]
[REDACTED] sent 1/22

[REDACTED]
[REDACTED]

GENE OWENS
1523 CROMER LANE
FLORENCE S.C. 29506

USA
FIRST-CLASS
FOREVER

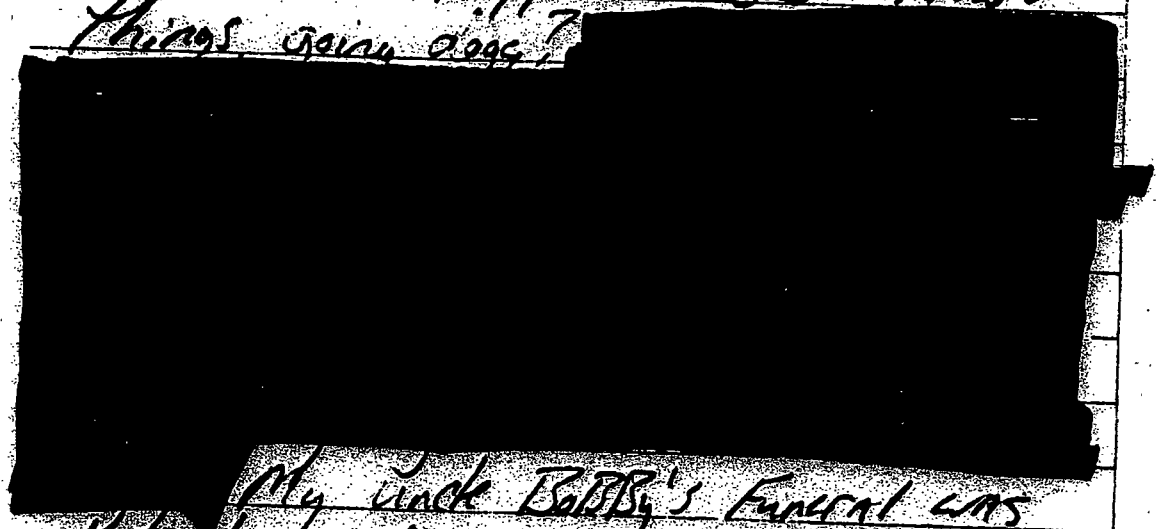


(1)

Jan,

3-5-2011

What's happened Bro? How's things going down?



My Uncle Bobby's Funeral was the day after my Boy Mikey got killed and I saw Glenn Bruce Jeff's Uncle (you know) and he said that Jeff went into the Navy or something I can't remember my head was fucked up real bad, hell the night before I seen my Best friend get shot in the face I just couldn't focus or concentrate on anything, 2 deaths in 3 days plus all the KRAAK'S I had took an liquor. I been shoot'n wasn't helpin me think, you know. Anyway man I ain't

②

Killed nobody ~~Team~~, Just in the wrong place wrong time, I guess. My buddy Mikey came to bring me a quarter bag that Friday night about 2pm or so, well he woke me up off the couch when he got there, he handed me the smoke he ask me to ride with him to drop off a couple bags of smoke to these adon bags (Danie Gaskins, Reeve Gaskins, Peppie Anthony, he said he didn't really trust them and just wanted me to ride along anyway we stopped to weigh the bags out about 5 or 6 hundred #, from these guys house in the middle of a dirt Rd, I had a blunt in my mouth and scales in my hand an all of a sudden we had a big SUV or sedan whatever clear on our bump man - Bright lighting us and somebody yell's Police get out, with your hands up, then we had laser lights on

(3)

us and all over the inside of
mikey car, hell we was convinced
we was intenable so I threw the
blunt in the ashtray-scales in the
floorboard mike shoves weed down beside
him I get out and a fucker nigger
with a ski mask runs up to me and
caught me wid some brass nuckles, put
me down right where I stood bra. Dude
started kickin the shit out of my
ribs then someone else came to join
him that fucker kicked me a couple
times tell me to give them my shit
and then one of them snatched my
wallet \$500.00 cash in it dude 1300.00
bucks anyway the bastards had mike
at gun point I mean they had it in
his face and it was cocked man, the
other two that was beat on me had
stopped and went around the front
of the car to see what was in
my wallet, told me to stay down
face down. Dude I was scared shitless

④

You and you know I ain't someone who
 get scared easily. Anyway my door was
 still open and all I could see was
 that pistol in my boys face, I got
 my hand on Mikey's shouldered off 12g.
 got up leveled it at the ones that
 took my wallet and got the party
 started, Mikey seen me come up with
 the shoulder off and he stopped the
 pistol head and jumped towards the
 ditch, I came around the front end
 of the house at them boys, but the
 shots were spreading or I wasn't
 aiming right, either way it seemed
 as if I was missing them.
 Without knowing by then they was
 shooting towards me with a pistol
 and I guess it was a 12g or 20g
 (not sure) may know when I shot the
 5 shell out I hit the woods an
 they shot at me a couple more time
 as I was running in the woods, then
 I heard them spinning and hollering

(5)

at me. When they were sure to be gone I came back to the car and threw the smoke. I saw rubber legs there on the ground man bleeding like hell. Man I fell to the ground talking to him Cuddling him I was trying CPR on him then I seen how bad the side of his head was messed up and I kinda knew because I even checked his pulse that he was gone man. I tried to get him into the car but he was so big and heavy that I couldn't do nothing with him. Anyway I couldn't find my phone and if I left him there in the middle of the road someone would of ran over him probably so I pulled and pulled until I got him into the shallow ditch then I got back in the car and went up and down that dirt rd looking for that sedan but never saw it again. I went home to call

⑥

The Police, pulled into my front yard, ran inside to wash the blood off my hands and grab the phone, seen my Xanax's and decided to take the Blues at once. Man I was shaking uncontrollably then. There was a bottle of Crown sitting there so I hit the bottle 3 or 4 times, grabbed the phone hit 9/1 then it hit me that I couldn't even describe any of those three punks. One was black (I see his fist) I think the other one that got my wallet was black, but the one that had the pistol in Mitey's face was white I'm sure of it. Anyway nobody knew we was down but Keith's dad and his brothers and Donnie Gaskins lives 600 ft from where we got jumped man that's so fucking much coincidence for me. Anyway I realized I couldn't describe them at the time I could think, hell I

①

Couldn't even talk by the time
 I got back to mine, probably I
 hung the phone up after hitting
 911 About 10 times and I knew
 I had to get away from that
 car if I wasn't going to call the
 Cops, so I burnt it. 2 months
 later they arrested me for this
 fucker murder man. My brother
 seen me covered with blood and I
 couldn't speak to even tell him
 what had happened plus his
 girl seen it and there minds
 went to wandering and assuming
 Shannon tried to blackmail me
 into giving her and my brother
 my tax money and I told them
 to go to hell and instead they needed
 to call the Police and tell them
 what they thought, well they did
 and two days later I was
 charged with murder and H&S.
 The only thing that I have going

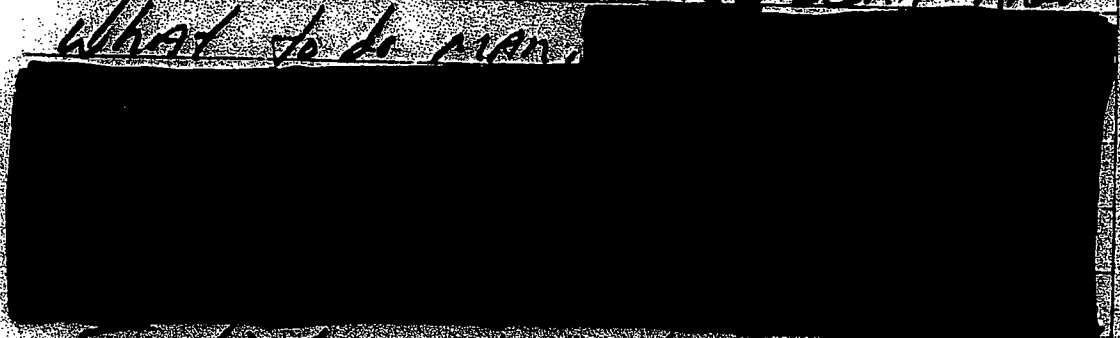
⑧

For me is that A Woman
 Actually seen that truck that
 they were driving (get this)

Parked in her drive-way right
 at the spot this all happened!!!
 I mean I couldn't figure out why
 we didn't see the truck come up on
 us but they were in a driveway
 behind some 15 Ft bush trees and
 they pulled right out of that
 drive way and drove onto our bumper.
 Fucking to here on those fucker
 fucks got away with Murder and
 I lost everything Jean, my son
 my freedom, my best friend, my career.
 dude I had started my welding
 career \$1500.00 a week \$166.00 for
 a 7 day work week. Everything is
 fucker gone dude, my family's names
 put there all this and what's really
 kills me is Mike's mom don't even
 have a clue as to what really happened.
 I can't even tell her until my

⑨

Lawyer figures out how he's going to handle my case. I haven't told anyone what happened. Not even my mamma. I absolutely don't know what to do man.



I don't expect you to believe me or anyone else, I don't know what to do man. Anyway I'm going to stop writing man this letters got my head hurting, I think. Love ya TBA, maybe we'll meet on the streetside one day! Your friend



Edo Life

Stiff Lee

Later

(Thanks for still being my friend Jenn!)

You're the first person I
spoken to about all this
Dude and I already feel
better, I think!

1/1/11

Ben





RECEIVED
2011 MAY -6 11:46

OFFICE OF SOLICITOR
12111 JUDICIAL CIRCUIT
FLORENCE, SC

MR. Clements
prosecutor
LEGAL MAIL

Date: 3-1-2011

Name: Scott T. Lee

I want to see:

Subject: My Case File

Mr. Clements,

SIR why are you allowing these cops to embarrass my family and slander my name. Sir they've put me on the front page of the Florence Morning News saying we got our man!!! Mr Clements everyone I know probably seen that one. Momma told me that I was on 3 different TV News Channels. Sir these detectives have probably got most of Florence thinking I did this mess. Sir I absolutely did not kill my boy mikey. I don't know how to make you understand exactly what was going on about me Mr Clements. I wish God that I could prove to you who I think done it, but I just can't. Be 100% sure that what I think is right sir. I tried to tell the cops who mikey was going to meet that night but they said that they had spoke to Danie Gaskins on the phone and they told me that when Gaskins stick together and then the cops pretty much laughed in my face after that Chad Collins stood on my Momma's front porch and told her that she knew I did this murder but they couldn't figure out why then he told her that they didn't have to stop questioning me when I ask for a lawyer that they were doing their jobs! Sir Chad Collins couldn't be more wrong about me either. None of this mess belongs in my life Mr Clements, I don't do shit like this sir. And I never will. Sir you would HAVE to intentionally hurt my son or mother or father or my Grandma to make me even think on this level sir. Nothing else is important enough for me to lose my family or my my new career over. Mr Clements I didn't do no murders sir. Just look at my record I do not steal or Rob or Kill or anything even remotely like any of this. I do not want the trouble. I'm not guilty Mr Clements!

(Forgive my sloppy handwriting sir) Scott

*Please Fold this paper when completed.

[REDACTED] (Mr. Clements III) Clerk of Court

Name:

Scott Lee

Date:

4-13-2011

[REDACTED] Mr. Clement no matter how much these Detectives say I killed my friend mikey, it just isn't true. They can say that I'm a murderer till there blue in the face, but facts are facts and the fact is I did not kill anybody sir, that was my brother that they shot sir and now you have me charged for his murder. These cops stepped on and disregarded so much evidence in this case that you could of loaded it all in the back of a [REDACTED] truck sir. I did not kill anyone sir and I can not admit to these charges knowing I didn't do it.

[REDACTED] Sir I never wanted to hinder the cops investigation but I can't give you something I don't know you know. Thanks for your time sir. Scott Lee

Mr. Ed Clements III - Sir
Clerk of Court Office

Name:

Scott T. Lee

Date:

4-23-2011

[REDACTED]

RECEIVED
APR 20 2011
OFFICE OF THE CLERK OF COURT
1241 JEFFERSON
EVANSTON, ILL.

Mr. Clements, I am
being done wrong in a lot of ways sir.

[REDACTED]

IF dennis Gaskins didn't kill my friend then
I really don't have a clue. I cannot help you
Staff Response: If he isn't a part of the murder, cause
in my heart I believe he pulled the trigger. I
don't know anything else to tell you. I did not
do this murder sir, please get these charges off
of my record sir. There has had to be a man to do this
murder for me, but they will try to frame me sir
I did not do it.

[REDACTED]

Scott Lee

Mr Ed Clements III



8-39

Solicitor

Dir: [redacted]

Scott Lee

I want to see Mr Clements III
Subject: This Murder Charge

I'm not going to make up or the Judge or
 the jury or anyone else about anything any longer.
 I was just scared completely out my wits till the
 day very cold and it was drizzling rain that night
 and all the rest day till check the weather reports
 on Dec 17, 2010 and Dec 18, 2010. Also I didn't feel
 believe sir I spoke to them everytime they were
 looking at I even invited them inside I went with them
 24 hours they ask me to sit still make make money then
 kind of my friend do even let me on we bought out weed from
 a friend Mike a money that night these people stole 1500.00
 from me sir I almost lost my life 3 times in 40 minutes
 but the charges that boy will out of my best friends
 [redacted] that the man with my brother
 [redacted] and he had to say a name with whatever Shannon
 [redacted] they would have talked him up with me
 [redacted] know that's what happened sir both Shannon and
 my brother are or were strangled an Mercedes, Dilator, heroin
 cocaine patches, needles, Luride, Benicote and oxycetone
 [redacted] and [redacted] knows what else. I only smoke
 my weed and I'd take a XANAX once in a while if I
 couldn't sleep.

paper when completed



Copy this
Army for
me! C-103

(Mr. Clements III) Clerk of Court 25

FLORENCE COUNTY DETENTION CENTER
Inmate Request Form

Name: Scott Lee

Date: 4-13-2011

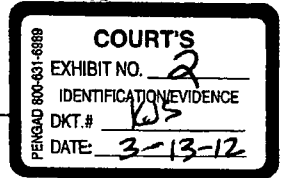
Booking Number: _____

Arresting Agency: _____

Unit & Room Number: _____

General Reason for Request:

- Grievance
- Classification Information
- Personal Property
- Inmate Worker Status
- Inmate Account
- Program Services
- Plea
- Other
- Warrant or Ticket Number: _____



Specific Information Concerning the Item Checked:

Mr. Clement no matter how much these Detectives say I killed my friend mikey, it just isn't true. They can say that I'm a murderer till there blue in the face, but facts are facts and the fact is I did not kill anybody sir, that was my brother that they shot sir and now you have me charged for his murder. These cops stepped on and disregarded so much evidence in this case that you could of loaded it all in the back of a

Staff Response:

truck sir, I did not kill anyone sir and I can not admit to these charges knowing I didn't do it, would you please get me into court sir right now these police have cost me \$15,200.00 and counting sir. I bust my ass everyday for my money and I make right at 6000.00 a month sir. I didn't do this sir, I didn't do it Mr Clements

Referred to: _____

Staff Signature: _____

Date: _____

Printed Name: _____

Sir I never wanted to hender the cops investagati but I can't give you something I don't know, you know thanks for your time sir. Scott Lee

PLEASE DO NOT FOLD REQUEST FORMS

(Mr. Ed Clements IN SIR)
Clerk of Court Office
FLORENCE COUNTY DETENTION CENTER

Inmate Request Form

Name: Scott T. Lee Date: 4-23-2011
 Booking Number: 2011001037 Arresting Agency: Florence C.
 Unit & Room Number: C-103
 General Reason for Request:
 Grievance Classification Information Personal Property
 Inmate Worker Status Inmate Account Program Services
 Plea Other
 Warrant or Ticket Number: M-273123 M-273124

RECEIVED
 APR 26 P 5 51
 OFFICE OF SOLICITOR
 GENERAL
 12th JUDICIAL CIRCUIT
 FLORENCE, SC

COURT'S
 EXHIBIT NO. 3
 IDENTIFICATION/EVIDENCE
 DKT.# WS
 DATE: 3-13-12

Specific Information Concerning the Item Checked: Mr. Clements, I am
being done wrong in a lot of ways sir. I
can't get or haven't got a preliminary hearing
yet on these trumped up charges. I can't get
or haven't got my Rule 5. I can't get a
answer on my "Fast and Speedy Trial" why?
All of these things are my Constitutional
rights sir. Why are you allowing these detectives
to trample all over me and my rights sir?
If Donnie Gaskins didn't kill my friend then
I really don't have a clue. I can't help you
 Staff Response: if he isn't a part of the murder cause
in my heart I believe he pulled the trigger. I
don't know anything else to tell you. I did not
do this murder sir. Please get these charges off
of my record sir. These cops are trying to pin this
murder on me, but they will have to frame me sir
and I did not do it.

Referred to: _____ Staff Signature: _____
 Date: _____ Printed Name: _____

Scott Lee

Need ^{1x} copy please!

Mr. Ed Clements III

OFFICE OF

TWELFTH CIRCUIT PUBLIC DEFENDER

CITY-COUNTY COMPLEX, ROOM 203
180 NORTH IRBY STREET, JCS-11
FLORENCE, SOUTH CAROLINA 29501



COURT'S
EXHIBIT NO. 4
IDENTIFICATION EVIDENCE
DKT.# 103
DATE: 3-13-12

JACK W. LAWSON, JR.
12th CIRCUIT PUBLIC DEFENDER
MICHAEL S. BELL
CHIEF PUBLIC DEFENDER
FOR FLORENCE COUNTY
PHONE (843) 665-3055
FAX (843) 665-4041

Solicitor

OFFICE OF SOLICITOR
12TH JUDICIAL CIRCUIT
FLORENCE, S.C.

LEGAL MAIL

Florence County Public Defender Inmate Request Form

Date: 7-23-2011

Name: Scott Lee

Pod & Room Number: # A 121

I want to see: Mr. Clements III

Subject: This Murder Charge

SIR I'm not going to make you or the Judge or
the Jury or anyone else guess about anything any longer.
I WAS JUST SCARED completely out my wits SIR, THE
Coroners report is off on the time of death that night.
IT WAS VERY COLD AND IT WAS DRIZZLING RAIN THAT NIGHT
AND ALL OF THE NEXT DAY SIR. CHECK THE WEATHER REPORTS
FOR DEC 17, 2010 AND DEC 18, 2010. ALSO I DIDN'T EVER AVOID THE
POLICE SIR I SPOKE TO THEM EVERYTIME THEY CAME UP TO MY
HOUSE SIR. I EVEN ENVIETED THEM INSIDE. I WENT WITH THEM
EVERYTIME THEY ASK ME TO SIR. SIR I MAKE MORE MONEY THAN
ANY OF MY FRIENDS OR EVEN ELI (THE ONE WE BOUGHT OUT WEED FROM).
I LOANED MIKEY MONEY THAT NIGHT. THESE GUYS STOLE 1300.00
FROM ME SIR. I ALMOST GOT LOST MY LIFE 3 TIMES IN TWO MINUTES
TIME SIR. I ALMOST GOT SHOT IN THE FACE TWICE IN TWO MINUTES
TIME MR. CLEMENTS. THAT BOY WAS ONE OF MY BEST FRIENDS
SIR. I HAVE CHARACTER WITNESSES. IF YOU READ ME TO PROVIDE
THEM FOR YOU I WILL SIR. I THINK THEY COULD MY BROTHER
IN A LIE! AND HE HAD TO SAY OR AGREE WITH WHATEVER SHANNON
WAS SAYING OR THEY WOULD HAVE LOCKED HIM UP WITH ME.
LARRY I KNOW THAT'S WHAT HAPPENED SIR. BOTH SHANNON AND
MY BROTHER ARE OR WERE STRUNG OUT ON MORPHINE, DILATOR, HEROIN
MORPHINE PATCHES, PERSICETS, LORAZOLAM, REXICETAN AND OXICETAN
AND COCAINE AND LARD. NOTICE TO INMATE KNOWS WHAT ELSE. I ONLY SMOKE
SEND TO MY WEED AND I'D TAKE A XANAX ONCE IN A WHILE IF I
Florence County Public Defenders Office
*Please Fold this paper when completed.
Couldn't sleep. Take my DNA or my
Blood, theres got to be A way I can
prove I'm telling the truth, Damn Abunch of lies.
or hear say SIR. I work to hard fore this type
stuff to be a part of my life Mr Clements



F.L.C. 52
F.01

OFFICE OF

TWELFTH CIRCUIT PUBLIC DEFENDER

JACK W. LAWSON, JR.
12th CIRCUIT PUBLIC DEFENDER
MICHAEL S. BELL
CHIEF PUBLIC DEFENDER
FOR FLORENCE COUNTY
PHONE (843) 665-3055
FAX (843) 665-4041

CITY-COUNTY COMPLEX, ROOM 703
180 NORTH IRBY STREET, MSC-N
FLORENCE, SOUTH CAROLINA 29501

RECEIVED
2011 MAY -6



Mr. Clements
prosecutor
LEGAL MAIL

OFFICE OF SOLICITOR
12th JUDICIAL CIRCUIT
FLORENCE, S.C.

Florence County Public Defender Inmate Request Form

Date: 3-1-2011

Name: Scott T. Lee

Pod & Room Number: # C-103

I want to see: X
Subject: My Case File

COURT'S	
EXHIBIT NO.	5
IDENTIFICATION EVIDENCE	
DKT.#	105
DATE	3-1-12

Mr. Clements,

Sir why are you allowing these cops to embarrass my family and slander my name. Sir they've put me on the front page of the Florence Morning News saying "we got our man". Mr Clements everyone I know probably seen that mess. Mamma told me that I was on 3 different TV News Channels. These Detectives have probly got most of Florence thinking I did this mess. Sir I absolutely did not kill my Boy Mikey, I dont know how to make you understand exactly how wrong you are about me Mr Clements. I wish to God that I could prove to you who I think done it, but I just can't be 100% sure that what I think is right sir. I just tried to tell the cops who mikey was going to meet that night but they said that they had spoke to Donnie Gaskins on the phone and they told me that - them Gaskins stick together and then the cops pretty much laughed in my face after that. Chad Collins stood on my Mamma's front porch and told her that he knew I did this murder but they couldn't figure out why, then he told her that they didn't have to stop questioning me when I ask for a lawyer - that they were doing there jobs! Sir Chad Collins couldn't be more hiding about me either. None of this mess belongs in my life Mr Clements, I don't do shit like this sir, NOTICE TO INMATE And I never will. Sir you would have to intentionally hurt my son or mother or father or my Grandma to make me even think on this level sir. nothing else is important enough for me to base my family or my new career over. Mr Clements I didn't do no murders sir. Just look at my record I do not steal or Rob or Kill or anything even remotely like any of this. I do not want the trouble. I'm not guilty Mr Clements!

(Forgive my sloppy Hand writing sir) Scott Lee

SEND TO Florence County Public Defenders Office
*Please Fold this paper when completed.

Florence County Det Center
6710 Friendship Rd
Florence SC 29541

Scott Lee

*#2011001037
C-103*

FLORENCE SC 295

21 MAR 2011 PM 2 T

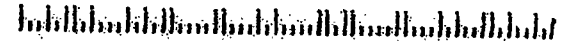
*Talking about shooting
to be approved.
Change
"Black Caucus!"*

*GENE OWENS
1523 Cromer Lane
Florence S.C. 29506*



PENGAD 800-631-6989
EXHIBIT NO. *6*
COURTS
IDENTIFICATION EVIDENCE
DATE *3-13-12*

2950635163



Thanks For the kind words Bro.

Gene, April 1st 2011 ☺

What's up Bro. I wonder what
 you're doing tonight? I know that I
 said "Shm", but I want to say "sorry"
 because, I know Jack's pups around
 town just at my mind on all this
 other stuff. Shm's like I want
 to say in nothing else says bro. Man
 I am glad that you didn't have to
 stay out here, this isn't my kind
 place for you dude. I'm glad to hear
 that your clam marriage was a
 big waste of your time gene (a big waste)!
 It is way to start like fucked up all
 the time, at least me I've wasted
 enough of my life being high on drink,
 until the past 10 years. I've been
 straight since for a long time now
 thank God! I was the one who was
 out drunk when I got to work
 but I've never seen Larry Broe

~~This happened when I~~ hadn't had
any sleep at the time. I mean
literally 19 hrs before ~~I see him~~, I
saw my best friend get killed here so
I know I wasn't in my right mind
at all. I'd been straight for years
so and all that changed as soon as
I got home that night. I think I
took 5 blue xanax's and a couple shots
of Crown Royal, time as I walked back
in the door, and then I grabbed my
house phone to call the police and
that's when I realized I couldn't
really describe a fuckin thing but the
color of the SUV or sedan and
I just bowed out. I just felt
as if I couldn't tell the cops who
done it beyond any kind of doubt
then I'd be the last one with
witness and I felt like I'd get
skipped and looked what happened.

would have never went with him
in one hand, but on the other hand
That's my dogg, man an he needed
I felt like he needed someone with
him and I'd probably go with him
again man. I don't know if what
I done was right or wrong I just
was scared as hell gone, hell it still
scares the hell out of me everytime
I relive this fuckin shit. I can't
sleep hardly and when I do I
dream some really bad dreams - to
where I don't want to go back to
sleep an then I wake up sit up
and realise I going to prison for
the rest of my life for the murder
of one of my Best Friends, Man from
Dec 17th 2011 Fridaynight 8pm or so
I've been in hell gone. My life will
never be the same, even if they
out them Motherfuckers! But I

~~trying to look anyone else up. I~~
~~think that they think they got~~
~~there man and they really don't~~
~~have a clue as to what happened~~
~~that night gone. If I don't get hold~~
~~of this lady or get her to testify~~
~~in my behalf then I done for dude,~~
~~cause she's the only one in the world~~
~~that seen anything at all. I mean~~
~~she told me that she didn't hear~~
~~nothing, but she did see the silver~~
~~SUV or Sedan parked in back~~
~~driveway that night, and that tells~~
~~me that them motherfuckers with~~
~~"Laysan-wait" for Mike, but no one~~
~~knew I was with him until the~~
~~guns were pulled on us. It's a wonder~~
~~I'm still breathen. In fact if Mike~~
~~wouldn't have brought the sawed~~
~~off I would be dead I think.~~
~~In fact I'm having nightmares about~~

right time as they shoot mikey
the other guy puts the shot gun to
my head - pumps a round in the
chamber and I wake up in a
cold sweat duole. and this nightmare
is coming to me over and over and
over man. Sometimes I wish I would
not have shot at them first, but I
thought I could save us man I seen
no other choice gone, Mike had a pistol
in his face with the hammer cocked
when I came up off the dirt and
he seen me and stopped it and that's
when I cut loose, then the other
guy came out shooting with another
shot gun, I mean for about 60 or
70 seconds it seemed like I was in
the wild wild west. Can't believe
I'm here with these fucken charges
~~listen, sure I really do need you~~
~~to be a character witness for me~~

I don't know what to do about anything man. I'm scared if I talk to the cops that I'll make it even worse on myself than it already is and on the other hand I'm scared if I don't I'll make it worse than it already is. I don't know what's right and I don't know what's wrong in any of this shit, all I do know is that they have the wrong person charged with this murder man. If you have any kinda advise please tell me cause I don't know what to do man.

Later Bro!

Scott Lee

(5)
If you still
that I'll
send it to me!
I'll send it to me!

~~Let me know for sure if you'll
 get on the star gear, so I can
 maybe give your name to my
 lawyer Jack Lawson. It looks
 like I'm going to need all the help
 I can get man. 30 to life is what
 harder hold and 0+15 is what
 prison holds. If these judges or
 jurors don't understand who I
 am as a person then I screwed
 that man. If you can have any more
 good ideas, please let me know,
 cause I ain't even thinking about
 anybody speaking on my behalf. That's
 how fucked up these people have me
 gone. Thanks for everything dude!~~

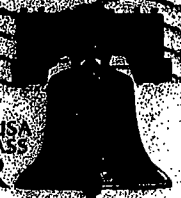
~~Jax~~

your friend
 Always gone
 Scott Lee

ice County Detention Center
719 Friendfield Road
Effingham, SC 29541
Scott Lee

FLORENCE SC 295

06 JUN 2011 PM 2 L



USA
FIRST CLASS
FOREVER

4078051
4539013

~~2011001037~~

~~A 115~~
7

Gene Owens
~~1523 Corner Lane~~
~~Florence S.C. 29506~~

Received JUNE 7th

PENGAD 800-631-6989
EXHIBIT NO. 7
IDENTIFICATION/EVIDENCE
DKT # WSS
DATE 3-13-12
COURTS

2950695163



Gene,

Whats up Bro? I hope that
 your chary man. I hope that you
 not in Jail! I'm just worried
 about you man so I thought I'd
 write you a couple lines Bro. Hows
 you and your girl doing? I haven't
~~heard a thing on any case ever.~~ The
 only thing I know to do is to tell
 the truth ~~and pray that the~~
~~judge and jury believe me.~~ I
 sorta wished I could just tell
 Mr Collins and Mr McFadden
 what I know in hopes they'd stop
 all this mess, but I think they
 think bad of me so I'm scared
 to say anything to them Bro I
~~wish that we and my lawyer~~
~~could just go in their offices~~
~~tell them what I think about~~
~~all this and that you'd all~~
~~should end all of this, but I'm~~
~~scared to go against what my~~

~~Lawyer says do - what is~~
~~Don't tell the cops, nothing, but~~
~~on the other hand if I told~~
~~them what I was told by Mikey~~
~~then they could go arrest these~~
~~bastards or something you know.~~
 This whole thing has gotten
 way outta control and way over
 my head Bro, I wished that I
 knew what the right thing to do
 was. I feel like the evidence will
~~prove me innocent in court but~~
~~who wants to wait until then~~
~~and I'm worried that Mikey's~~
~~memories might pass away and~~
~~not ever even know what happened~~
~~that night and I want her~~
~~to know what happened and I~~
~~sure as — want her to~~
~~realise I hadn't anything to do~~
~~with his death you know!~~
 This is BS dude and I don't
 know what to do, I guess nothing

has changed cause I haven't
 known what to do since this
 whole thing started on Dec 17th
 2010. I just want all this
 mess cleared up and I want
 my name cleared and
 I don't want to see any
 how to do that. I hope your
 okay Bro, please get on the internet
 Gene White put back and let
 me know what's going on and
 you know what? ~~Did you call~~
~~Lisa's voice print and read~~
~~what I told you to read later~~
 write me back Bro!

(P.S.)

Let me know
 About Lisa
 and about the
 cops.

later man

Stett Lee

I hope that your okay and well Bro, I am worried about you Gene so write me back Brother!

Pray Gene pray alot cuzza it will help you its been helping me and my family dude infact God is my strength in here and his words are music to my ears man, there is no other way to deal with life Gene you have got to have God our Savior in your life or its going to fail.

Write me Back Brother!

Your Friend
Scott Lee

Florence County Detention Center
6719 Friendfield Road
Effingham, SC 29541

NAME: Scott Lee

COURT'S
EXHIBIT NO. 8
IDENTIFICATION # 123
DKT. #
DATE: 3/3/12
PENGAD 800-631-6989



~~#2011001037~~
~~A-103~~

GENE OWENS
~~1523 CROMER LANE~~
~~FLORENCE S.C. 29506~~

~~To JEAN'S wife or family~~

~~please do-not read my letter
to Jean over the phone at
work-camp, because all of those
phones conversations are recorded!
And I'm not sure exactly how
my Lawyer is going to handle
this case so it might hurt me
even worse if you read my letter
over the phone. Please either
re-mail it to him (in a new envelope)~~

~~(P.S.) I haven't yet
even told the
Cops anything yet
that's why I say
this to you
All I want please
Don't tell anyone about
this letter~~

~~or take it to
him personally.
please and
Thankyou!~~

~~Sattlee~~

①

Jean

3-5-2011

What's happened Jean? How's
 things going digg? ~~Jenny was in here~~
~~and he said that he saw you at~~
~~work camp in "Greens", what happened~~
~~you didn't show up for court~~
~~did you? (C) At any rate you know I'm~~
~~here in Calif. 103. Can you have you~~
~~heard anything from or about Jeff Bruce~~
~~lately? My uncle Bobby's funeral was~~
~~the day after my boy Mikey got~~
~~killed and I saw Glenn Bruce~~
~~Jeff's Uncle (you know) and he said~~
~~that Jeff went into the Navy or~~
~~something I can't remember my~~
~~head was fucked up real bad, hell~~
~~the night before I seen my Best~~
~~Friend get shot in the face I~~
~~just couldn't focus or concentrate on~~
~~anything, 2 deaths in 3 days plus all~~
~~the Xanax's I had took an liquor~~
~~I been shootn wasn't help me~~
~~think, you know. Anyway man I ain't~~

(2)

Killed nobody TEAM, Just in the
 wrong place wrong time, I guess.
 My buddy Mikey came to bring
 me a quarter bag that Friday night
 about 2pm or so, well he woke me
 up off the couch when he got there, he
 handed me the smoke he ask me
 to ride with him to drop off a
 couple bags of smoke to these scum
 bags (Dannie Gaskins, Pee-wee Gaskins Pezz,
 anyway he said he didn't really
 trust them and just wanted me
 to ride along anyway we stopped to
 weigh the bags out about 5 or 6
 hundred #, from these guys house
 in the middle of a dirt Rd, I had
 a blunt in my mouth and scales in
 my hand an all of a sudden we
 had a big SUV or sedan whatever
 dead on our Bump man - Bright
 lighting us and somebody yells
 Police get out with your hands
 up, then we had red lazer lights on

③

us and all over the inside of
Mikey car, hell we was convinced
we was introuble so I threw the
blunt in the ashtray-scales in the
floorboard mite shove weed down beside
him. I get out and a fucker nigger
with a ski mask runs up to me and
caught me wid some brass nuckles, put
me down right where I stood bra. Dude
started kickin the shit out of my
ribs then someone else came to join
him that fucker kicked me a couple
times told me to give them my shit
and then one of them snatched my
wallet \$500.00 cash in it dude 1300.00
bucks anyway the bastards had mike
at gun point I mean they had it in
his face and it was cocked man, the
other two that was beat on me had
stopped and went around the front
of the car to see what was in
my wallet, told me to stay down
face down. Dude I was scared shitless

(4)

Jean and you know I ain't someone who
 get scared easily. Anyway my door was
 still open and all I could see was
 that pistol in my boys face, I got
 my hand on Mikey's sawed off 12g.
 got up leveled it at the ones that
 took my wallet and got the party
 started, mikey seen me come up with
 the sawed off and he stopped the
 pistol hand and jumped towards the
 ditch, I came around the front end
 catter base at them boys, but the
 shots were spreading or I wasn't
 aiming right, either way it seemed
 as if I was missing them
 Motherfuckers by then they was
 shooting towards me with a pistol
 and I guess it was a 12g or 20g
 (not sure) anyhow when I shot the
 5 shell out I hit the woods an
 they shot at me a couple more time
 as I was running in the woods, then
 I heard them spinning and hollering

(5)

at me when they were sure to be gone I came back to the car and threw the smoke. I seen Subbia lay there on the ground man, bleeding like hell. Man I fell to the ground talk to him Cuddling him I was tried CPR on him then I seen how bad the side of his head was messed up and I kinda knew before I even checked his pulse, that he was gone man. I tried to get him into the car but he was so big and heavy that I couldn't do nothing with him. Anyway I couldn't find my phone and if I left him there in the middle of the road someone would of run over him probably so I pulled and pulled until I got him into the shallow ditch then I got back in the car and went up and down that dirt rd looking for that sedan but never saw it again. I went home to call

⑥

The Police, pulled into my front yard, ran inside to wash the blood off my hands and grab the phone, seen my XANAX's and decided to take 16 Blues at once. Man I was shaking uncontrollably then. There was a bottle of Crown sitting there so I hit the bottle 3 or 4 times, grabbed the phone hit 911 then it hit me that I couldn't even describe any of those three punks. One was black (I seen his fist) I think the other one that got my wallet was black, but the one that had the pistol in Mitey's face was white I'm sure of it. Anyway nobody knew we was comin but Keith's dad and his brothers and Donnie Gaskins lives 600 ft from where we got jumped man that's so fuckin much coincidence for me. Anyway I realized I couldn't describe them. An at the time I could think, hell I

①
I couldn't even talk by the time
I got back to mums, properly I
hung the phone up after hitting
it about 10 times and I knew
I had to get AWAY from that
car if I wasn't going to call the
Cops, so I burnt it. 2 months
later they arrested me for this
fucker murderer man. My brother
seen me covered with blood and I
couldn't speak to even tell him
what had happened plus his
girl seen it and these minds
went to wondering and assuming
Shannon tried to blackmail me
into giving her and my brother
my FAX money and I told them
to go to hell and instead they needed
to call the Police and fill them
with what they thought, well they did
and five days later I was
charged with murder and H.R.S.
The only thing that I have going

⑧

For me is THAT A Woman
 Actually seen that truck that
 they were driving (get this)

Parked in her drive-way right
 at the spot this all happened till
 I mean I couldn't figure out why
 we didn't see the truck come up on
 us but they were in a driveway
 behind some 15 ft bushy trees and
 they pulled right out of that
 driveway and drove into our bumper.
 Anyway to here on those fucken
 shorts get away with Murder and
 I lost everything Team, my son
 my Freedom, my best friend, my career.
 dude I had started my welding
 career \$1500.00 a week \$166.00 for
 a 7 day work week. Everything is
 fucken gone dude my family's names
 put thru all this and what's really
 kills me is Mike's mom don't even
 have a clue as to what really happened.
 I can't even tell her until my

9

Lawyer figures out how he's going
 to handle my case. I haven't told
 anyone what happened Jean, not even
 my mamma. I absolutely don't know
 what to do man. ~~All I know is I~~
~~got to tell the truth in court OR~~
~~else my mamma will always~~
~~think in the back of her mind that~~
~~I had done this and I didn't do it.~~
 I don't expect you to believe me OR
 anyone else, I don't know what
 to do man. Anyway I'm going to
 stop writing man this letters got
 my head hurting, I think. Love ya
 BRA, maybe we'll meet on the
 shoreside one day! Your friend

~~If you B:
 talk to Jeff
 tell him I said
 I'm proud of him~~

Fake Life
 Scott Lee

Later
 Jean

(Thanks for still being
 my friend Jean!)

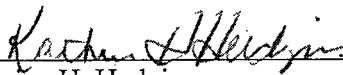
Thank the first person I
spoken to about all this
Dude and I already feel
better, I think!

later
Boris

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this 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."

April 10, 2013


Kathrine H. Hudgins
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 Florence County

Michael G. Nettles, Circuit Court Judge

RECEIVED

APR 10 2013

SC COURT OF APPEALS

THE STATE,

RESPONDENT,

V.

SCOTT LEE,

APPELLANT

APPELLATE CASE NO. 2012-210830

CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Donald J. Zelenka, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201 this 10th day of April, 2013.

Brandon Hall

Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 10th day of April, 2013.

[Signature] (L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013