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STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

Clifton Newman, Circuit Court Judge

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

GREG K. ISAAC,

APPELLANT

APPELLATE CASE # 2013-002168

RECORD ON APPEAL

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS
COURT:**

**STATE'S EXHIBIT # 78 (BLOW UP) AND STATE'S
EXHIBIT # 169 (RECORDING OF TELEPHONE
CONVERSTATION)**

1 Now, the Judge will tell you there's two different
2 kinds of evidence you can rely on in determining your
3 verdict, it's called direct evidence and circumstantial
4 evidence, and what's the difference between the two. Direct
5 evidence -- eyewitness testimony. It's evidence that
6 perceived through the senses, what a person saw, heard,
7 tasted, touch, felt, things perceived through the senses.
8 Some of the eyewitness testimony you heard from some of the
9 neighbors who heard things, what was going on next door, who
10 then looked out the window and saw things. That is
11 eyewitness testimony. But the law also recognizes that
12 there can be additional type of evidence, which is
13 circumstantial evidence.

14 Generally, there are two types of evidence
15 presented during a trial, direct evidence and circumstantial
16 evidence. Direct evidence directly proves the existence of
17 a fact -- such as eyewitness testimony. Circumstantial
18 evidence is evidence that's proven with a chain of facts and
19 circumstances indicating the existence of a fact. Like the
20 blood patterns at the scene. Those are indicative of what
21 may or may not have happened. That is evidence you can use
22 in deducing where the actually shooting occurred.

23 Crimes may be proven by circumstantial evidence.
24 The law makes no distinction between the weight or value
25 given to either direct or circumstantial evidence. However,

1 to the extent the State relies on circumstantial evidence,
2 all of the circumstances must be consistent with each and
3 when taken together -- beyond a reasonable doubt. If these
4 circumstances -- Defendant's behavior has suspicious, the
5 proof has failed. Ladies and gentlemen, it's not suspicious
6 he shot him. He admitted he shot him. That's not in
7 dispute. He admitted to that. That is direct evidence.

8 The State has the burden of proving the Defendant
9 guilty beyond a reasonable doubt. This burden rest with the
10 State regardless of whether the State relies on direct
11 evidence, circumstantial evidence or some combination of the
12 two. And that's what we have here. We have did direct
13 evidence, eyewitnesses from the scene, what they saw, how
14 they observed the victim after the shooting, how he died.
15 All that is directly corroborated by the circumstantial
16 evidence in this case.

17 Now, in this case, too, you also heard that the
18 Defendant gave a statement. And the Judge will tell you
19 when the Defendant gives a statement, it must be a voluntary
20 statement. And in this case, ladies and gentlemen, these
21 police officers, this sheriff's department did their job.
22 They made sure that he was read his rights, that he
23 understood them and that those were explained to him over
24 and over when they took his statement. His rights, they
25 jumped through the hoops they were supposed to. There is no

1 evidence of police misconduct in this case

2 What they did was made sure he understood his
3 right to remain silent, his right to an attorney and what
4 his rights were. You will have the paperwork back there
5 with you. And that's important because he should be advised
6 of those things and he was in this case. Whether or not he
7 chooses to make a statement is up to him and he did in this
8 case. He gave a statement blaming the victim thinking it
9 would exonerate him and just implicating Tavares World.

10 Criminal intent in every case, we must prove.
11 They went in there with the intent to commit some type of
12 crime. I submit, ladies and gentlemen, one doesn't kick in
13 another person's door at night without saying there going to
14 commit a crime there. The Judge will tell you that you
15 can't determine what a person is, actually, thinking at the
16 time by dissecting their brain. You can't prove to any
17 mathematical certainty what the person has. But what you
18 can do is look at the facts and circumstances surrounding
19 what happened that night in determining whether or not there
20 was criminal intent. And I submit, ladies and gentlemen, a
21 home invasion wreaks of criminal intent, especially one in
22 which the victim ends up dead on his own front porch.

23 You also heard from several of the witnesses in
24 this case which were expert witnesses because they have a
25 certain degree of training and education in a certain field.

1 Normal witness, such as myself, I would be a lay witness. I
2 would be coming in here to give an opinion. However, with
3 an expert witness, once they are qualified -- by the Court,
4 then they can give you an expert opinion. They can give you
5 an opinion as to whether or not -- like the DNA in this
6 case, the pathologist in this case, the ballistics expert in
7 this case. So listen carefully to them and consider their
8 evidence and their testimony the same way you do any other
9 witness.

10 -- on credibility because it is the most important
11 thing. Because either you believe the evidence, the
12 physical evidence, the scene, the crime scene and what was
13 found there, the police officers and what they did in making
14 sure that his rights were observed and he had an opportunity
15 to review is statement and that's the version they told you
16 or you believe him. And I submit, ladies and gentlemen,
17 even if you believe him, he is still guilty of, at least,
18 the murder Credibility. The Judge will instruct you if
19 someone has a bias or prejudice to change their testimony to
20 testify a certain way And everyone makes mistakes, don't
21 get me wrong, but new stories just don't come up every time
22 you're confronted.

23 You can consider a person's demeanor on the stand,
24 were they forthright or hesitant? Was there testimony
25 consistent with the physical evidence or consistent with the

1 other testimony? You can consider when a witness came
2 forward or even if they came forward voluntarily. And you
3 consider whether or not they've ever not told the truth in
4 the past. You can believe one witness, many witnesses
5 against one. You can believe all of what a witness says,
6 part of what they or none at all. It's totally up to you.

7 In this case, ladies and gentlemen, even under the
8 Defendant's own latest version of events, he is still guilty
9 of murder. He's trying to get out of charges, I submit.
10 And, remember, duress is not a defense to murder under any
11 circumstances. When you think about his credibility,
12 because very simply, not only the police framed him, the
13 court reporter in this case even left out stuff. Even if
14 you believe his latest version, he is still guilty of
15 murder. And I submit, ladies and gentlemen, when you look
16 at the evidence, when you consider it, he's not just guilty
17 of murder, he's guilty of murder, attempted armed robbery
18 and burglary in the first-degree. All we ask is that when
19 you finish listening to arguments and the Judge gets up here
20 and talks to you about what the law is you have to apply,
21 when you go back there to reach a verdict, each of you
22 individually and collectively as one voice that you should
23 reach a verdict that speaks the truth.

24 In his opening argument, Mr. Schnee got up here
25 and said point the finger somewhere other than Greg Isaac.

1 And I submit he's done everything in his power to do that.
2 Blame the victim He's a drug dealer. Did he deserve to
3 die? Is that theory? Is that ever? Antonio Corbitt was in
4 his own house with his son, who witnessed his father being
5 beaten On that night, he was in his home. Was he perfect?
6 No. And the State brought that evidence before you. Did he
7 deserve to be murdered in his own home in front of his son?
8 Is that the theory? Murder is never acceptable no matter
9 who the victim is. All we ask is despite his attempts --
10 you hold him (indicating) responsible for the secret he kept
11 so close to his heart, hold him responsible for what he
12 admits he did, at least, a year ago. He broke in and he
13 murdered him.

14 Final thing I want to talk to you about the Judge
15 will instruct you is it's the theory of the law called the
16 hand of one is the hand of all. Listen to the Judge on that
17 because he will tell you two or more people combined
18 together -- in this case, three people Remember, Vernorris
19 Dixon, he's charged with murder and attempted armed robbery
20 and burglary first and he didn't even go in. But he's part
21 of ongoing side, part of the events that led to the -- the
22 Judge will tell you it doesn't matter who committed which
23 event, but when two or more people combined together to
24 commit a crime, the act of one is the act of all or the hand
25 of one is the hand of all That's the very important legal

1 precedent in this case. It's a theory under which all three
2 of them -- all we ask, ladies and gentlemen is that you hold
3 him responsible for his choices, and they were his choices,
4 and find him guilty of all three charges. Thank you.

5 THE COURT: Let's stand for moment.

6 (Everyone stood)

7 THE COURT: All right. Mr. Schnee.

8 MR. SCHNEE: May it please the Court, Your Honor.

9 THE COURT: Yes, sir.

10 MR. SCHNEE: According to Ms. Campbell, I'm
11 apparently trying to convince that Antonio Corbitt deserved
12 to die. I have an idea where she came up with that line.
13 I'm personally offended at the prospect. The only person
14 that really deserved to die that night was Tavares World.
15 He is the one that has stuck guns in people's faces, kicked
16 in doors, gotten in a fight that resulted in a man's death
17 all because another drug dealer shorted him on money. Greg
18 Isaac had no participation voluntarily in any of that. Greg
19 Isaac has never said Antonio Corbitt deserved to die. The
20 only reason she is saying that (indicating) is because she
21 wants all of you to be very, very angry. She's playing with
22 your emotions. That's what she's been doing this whole
23 time.

24 She wants to talk about credibility of witnesses.

25 Let's talk about credibility of witnesses Vernorris Dixon,

1 what motive does he have to tell you something that's not
2 necessarily the whole truth? Well, he's charged with
3 murder. He told you that. He's charged with attempted
4 armed robbery and he's charged with burglary in the first
5 degree. He has an absolute mandatory minimum sentence he is
6 looking at of 30 years day for day, maximum is life. Now,
7 at his age, even the minimum sentence almost assures he will
8 die in prison.

9 You want to talk about the credibility in terms of
10 Vernorris Dixon when he gave a statement? He refused to
11 talk to anybody at the police department about anything.
12 Then he comes back with his lawyer months and months later,
13 as Ms. Campbell said, after reviewing discovery, trying to
14 figure out what they have against him and what does he do?
15 He takes the tiniest little role he possibly could, says as
16 little as possible as to what happened. The only thing he
17 tells the police is what they already absolutely know they
18 can prove because that's what everybody else has already
19 agreed on and his lawyer happens to be Luck Campbell's
20 former boss, the former solicitor in Richland County. He
21 was the solicitor for 20 years. That's the person that's
22 going to negotiate with the government on Vernorris Dixon's
23 behalf to get him a deal.

24 What motivation does he have to tell you the
25 complete truth? None. He's trying to say it was -- who

1 wouldn't do that But don't let Ms. Campbell and the rest
2 of the government sitting over there, three lawyers, three
3 lead investigators. I can't even count how many cops they
4 called in the beginning, but chose not to call all of them.
5 Every single one of those people, they're here to do one
6 thing, convict Greg Isaac. You see, they're not here to
7 seek the truth They're here to get a conviction

8 You want to talk about credibility. Investigator
9 Godfrey, he said that this statement or the statement from
10 the notes, apparently, Greg Isaac's own words that he wrote
11 down and typed up in his report. You heard from Greg Isaac,
12 barely graduated the ninth grade. You think he used the
13 word deescalate to describe trying to stop the fight? That
14 wasn't Greg's word That's the police officer's words
15 None of those words were Greg's actual words. That was a
16 police interpretation of someone they were interrogating
17 with the sole purpose of getting a conviction here today.
18 That's the only reason why they were questioning him.
19 That's not creditable.

20 Ms. Campbell claims that Greg has never told this
21 version of events before. I can tell you he, certainly,
22 has. He, certainly, told it to the Court in July. He told
23 it to me a lot before that. The fact is he's not required
24 to come forward. He's not required to come forward and take
25 this witness stand (indicating). No one is ever required to

1 testify in their own defense. He chose to do so. He wanted
2 to tell you what happened. It's not the perfect story.
3 He's not getting up here saying he wasn't there. He admits
4 he fired those shots. It's a mistake. That doesn't make it
5 a criminal act.

6 Now, Investigator Padgett, he testified in July,
7 also. He said multiple times in July he went to the
8 apartment across the parking lot the very next day. He
9 photographed the scene and he collected the bullet. He
10 collected this bullet from the window (indicating). And he
11 comes in here today and says, oh, I was just mistaken, I'm
12 sorry. I made a mistake. There were lots of pictures
13 thrown at me. I said I took it, I said I collected it. I
14 was wrong. Really? He is the chief at the time forensic
15 investigator. He is in charge of that department. He has
16 his report right in front of him and now he's claiming it's
17 a mistake.

18 Well, you have Mr. Collins coming in and talking
19 about firearms analysis from the actual bullets. What did
20 he actually tell you? Well, he read the head stamp on the
21 bottom of the round that says 380 Winchester and he has two
22 bullets that probably were made by Winchester, but that's as
23 much as he could tell you. One came from autopsy and one
24 came from the window seal. He doesn't know who fired what.
25 He doesn't know how many rounds were fired. He wasn't even

1 at the scene

2 He also told you that the bullets when they're
3 fired eject to the right, usually backwards. Take a careful
4 look at Exhibit 27. This is the shell casing. There's
5 another one from above the stairs. This is the door. And
6 it's showing the shell casing behind the door inside the
7 apartment. Well, no matter what theory or whatever story
8 you believe, there is no way this shell can get here if
9 you're standing outside the apartment. When the door is
10 open, it's to the left. You can't be anywhere outside the
11 apartment and fire this bullet. This round had to come from
12 inside the apartment. That's probably the round that ended
13 up at the window across the street. The only person that
14 could have fired that round is Antonio Corbitt.

15 Now, the police weren't the first people there
16 There were other people that went into that apartment. You
17 heard the officers testify that there was an incredibly
18 strong odor of marijuana. But there wasn't marijuana found,
19 you would have heard about that. No one found anything,
20 which means someone went in there and took it out. You
21 think they're just going to leave a gun lying on the ground
22 in there, also. No, they took that, also.

23 The only thing that we know is that one bullet
24 injured Antonio Corbitt and that this projectile casing
25 can't be linked to it in any way at all. None of them can.

1 There's no forensic evidence to support that. We don't know
2 how many rounds there were. All we know is what the police
3 found when they got there to process the scene a little bit
4 latter.

5 Now, Ms. Campbell has gone through a lot of law
6 with you and I'm not going to waste your time with that.

7 One thing I do need to talk about is the concept of the hand
8 of one is the hand of all. That's a wonderful catch phrase
9 that's been used for years. The reality is that phrase does
10 nothing but explain the concept of accomplice liability.

11 Accomplice liability is when people gather together for an
12 actual purpose and agree upon purpose Well, who here
13 testified about what purpose there was? The only person
14 that testified about what was going on was Greg Isaac
15 (indicating) and there's no agreed upon purpose. He was
16 forced to be there. Yes, he got in the car voluntarily.

17 Yes, he is somewhat friends with Tavares World. Well,
18 Tavares World has children and now married to his cousin.
19 They live in the same area. Is he just going to ignore him
20 completely? No. So he's hanging out with him Yes, Greg
21 is much younger. Probably a bad idea to hang out with
22 people of that age, but he was doing it. He didn't
23 voluntarily get in the car. Who did they put on the stand
24 to tell you that he knew where they were going? No one.
25 Vernorris didn't say that Greg knew where they were going

1 that night. They were just riding around smoking marijuana.
2 Fine, convict him of that, wonderful. He didn't commit a
3 murder. They get to the apartment. Greg Isaac told you
4 what Tavares World did. Greg said he pointed the gun at my
5 face. If you don't do this, you are going die.

6 Chief Wilson got up and explained to you when he
7 advised Greg of his rights when he was questioned. He said
8 that advisement of rights form. What's really interesting
9 about that advice of rights form, it says I'm not going
10 coerced or threatened in any way. On direct, by questioning
11 by the State, Chief Wilson says I described coercion as
12 holding a gun to someone's head. How ironic he would use
13 that phrase. That was his phrase he came up with, not mine.
14 Not Greg's. That's what he says he always does. That's
15 exactly what we have in this case. One person who's much
16 older, who has been convicted of all these things, who held
17 a gun to a scared 18-year-old's head and said you're coming
18 with me. Tavares World went up to that door. Tavares World
19 kicked in that door. Greg, he stood outside. He didn't
20 want to participate. This isn't his dispute. So all of a
21 sudden, now, he's just supposed to start shooting Tavares
22 World because he's doing this? Does that make any sense?
23 You think an 18-year-old is going to say to a 28-year-old
24 who is much larger, you know what, I'm just going to start
25 shooting you and hope I kill you so you don't come after my

1 family. He's an 18-year-old. He's not thinking correctly.

2 But that doesn't impart ill will towards people and it

3 doesn't impart an actual intent to commit a crime.

4 Now, Ms. Campbell is trying to point out the

5 purposes of self-defense and all the little factors that

6 they're supposed to disprove. Well, where is the time to

7 retreat? All of this is happening. He's trying to stop the

8 fight. He then walks out. Greg is trying to stop the

9 fight Tavares comes running after him and -- reached

10 behind him and pulling a gun. Where is that gun? It's in

11 his sweatpants. In the small of his back where a lot of

12 people carry guns. I know I've carried guns in my pants

13 before. I'm allowed to. I carry one at home all the time.

14 So what? It doesn't make it a crime That doesn't make is

15 unreasonable for Greg to think that happens Greg did not

16 go there with the intent to commit a crime. He did not

17 enter that apartment with an intent to commit a crime.

18 Well, that's within of major elements that they

19 have to prove to you for you to convict him of burglary of

20 any type He didn't go there with any intent. He was

21 forced to go there. And then even when he said he doesn't

22 even want to go in. And what act did he commit on his own

23 to commit any attempted armed robbery? There's a wallet

24 sitting on the coffee table a few feet from the door.

25 There's money on the floor right next to the coffee table.

1 If someone wanted to commit a robbery, they're going to go
2 in and there's money sitting right there (indicating), why
3 would they not take it?

4 Now, at trial, you heard the testimony of a
5 17-year-old kid who got up on the stand and tried to tell
6 you what he remembered. And I had to play a video of when
7 he was seven years old and gave a much different version.
8 Now, I'm not accusing him of lying in any way. I'm not
9 accusing him of trying to make up facts. I'm not saying
10 he's trying to do anything wrong. He was seven years old.
11 He saw something horrible. The simply fact is he really
12 doesn't remember what happened.

13 Now, when you get back to that jury room in just a
14 few minutes, I want all of you to think of a memory when you
15 were five, six or seven -- memory you think of and you talk
16 about family gathers and I want you to close your eyes,
17 picture yourself. And then you do that, I'm willing to bet
18 that half of you see yourself in the third person not coming
19 out of your -- and there's a very, very important reason for
20 that, because you don't remember all of the details. What
21 you do is you fill in pieces of what other people have told
22 you. There's nothing wrong with that. Our brains are
23 programmed to do this. They're designed to fill in gaps.
24 We want everything to make sense. That's all R W

25 is doing. He knows there are two people charged.

1 He's talked to his parents. He's talked to his mother.

2 He's talked to law enforcement. So now all of a sudden, he
3 remembers two people. The only purpose of playing that long
4 horrible watched video was that he really doesn't remember
5 anything. He's not a credible witness. Not intentionally,
6 but simply that what he said isn't what happened.

7 There's also a lot of missing evidence in this
8 case. Gunshot residue. You heard the analyst testify.
9 Hands covered in blood, if you don't do the swabs right,
10 you're not going to get gunshot residue, if there was any to
11 begin with. If blood comes on afterwards, it will wash it
12 off. There are legitimate possibilities here. What has the
13 State done to prove any of that different? Nothing. And
14 that's why I can say with a reasonable degree of certainty
15 that this bullet was fired by Antonio Corbitt, the one that
16 went into the apartment across the street, which means Greg
17 Isaac's fear was much more than a reasonable fear. It was
18 based on the fact that Antonio Corbitt probably did fire
19 back at some point.

20 There's no DNA collected off Antonio Corbitt's
21 neck. There were fingernail scrapings. People that
22 analyzed it at the scene, people that attended the autopsy,
23 even Dr. Clay Nichols said it himself, he saw the fingernail
24 scrapings. What was their reason for not collecting DNA?
25 It wasn't protocol at the time. They knew about touch DNA.

1 They could have easily taken a swab. Maybe it would have
2 shown something, maybe not, I have no idea. It's not our
3 jobs, certainly, not your job to figure out what could have
4 been, but you need to hold the State to their burden of
5 beyond a reasonable doubt or why aren't they trying to fill
6 in these gaps. How could the police not do something they
7 knew they could do just because, well, it's not our protocol
8 this year.

9 You heard the neighbors get up and talk about what
10 they heard. Most of them were kind of similar, some were a
11 little different. No one really saw anything. Some of them
12 said -- one said I only heard one shot. Some said two to
13 three shots, could have been more. The simple fact is these
14 are people at home watching TV at 9:30, and all of a sudden
15 they're hearing gunshots. So not really paying attention
16 until afterwards. None of them seen any one fleeing. None
17 of them see how many people were there. End of the day,
18 there's only one person who was standing at that apartment
19 at the time who testified in this trial and that's Greg
20 Isaac. And the State has to disprove every single he said
21 beyond a reasonable doubt.

22 Now, what is a reasonable doubt? I just want to
23 talk about this very briefly. The Judge is going to
24 instruct you that a reasonable doubt is one that will cause
25 a person to hesitate to act. This morning when I walk up,

1 got out the shower, before I let my dog outside, same thing
2 I do everyday, I make a cup of cough. Go inside, pour it
3 in -- pull out the container that expired yesterday. We've
4 been working here pretty hard this week, pretty long hours,
5 I haven't gotten my milk yet. I look at that milk and it
6 says yesterday's date. I open it up and I sniff it. It
7 smells fine. It was fine yesterday, but I sniffed it
8 anyway, then I pour it in my coffee. That sniff right
9 there, the fact that I thought I should do that because that
10 was yesterday's date when it's today, that's called a
11 reasonable doubt. I wasn't sure if it had spoiled. I knew
12 yesterday it was fine, the day before it was fine I had no
13 reason to believe it wasn't, the refrigerator was still
14 working Milk doesn't go bad over one night just like that
15 (indicating). I still sniffed it as I bet most of you would
16 sniff And what you need to do is you need to sniff their
17 case That's what you need to do.

18 Now, Greg Isaac, he got up on that stand. Luck
19 Campbell cross-examined him, questioned him and started
20 talking about all these different years. At the end of the
21 day, he told you the same he has said many times before,
22 Tavares World forced him to be there. Tavares World forced
23 him to go to that apartment under threat of death. And then
24 Tavares World afterwards said if you tell anyone, I will
25 kill you or your family He's 18 years old. He was not

1 there voluntarily. He was under duress and coercion. He is
2 not of burglary or attempted armed robbery. While he's
3 standing -- and the Judge will instruct you, duress is a
4 complete defense. It negates any criminal intent. When
5 he's there and he tries to break up a fight and he sees
6 Tavares World running out with Antonio Corbitt reaching for
7 a gun and he reacted in seconds, in a split second. He had
8 nowhere to run. He had nowhere to go. He didn't start the
9 fight. He didn't want to be there. He simply reacted and
10 defended himself. He is not guilty not of a criminal
11 offense. He's very much guilty of being an 18-year-old and
12 easily influenced, but he did not commit the crimes under
13 the laws of South Carolina.

14 THE COURT: Ms. Walker

15 MS WALKER: May it please the Court?

16 THE COURT: Yes, sir.

17 MS. WALKER: Good afternoon. Like Ms. Campbell, I
18 want to start by thanking you for your attention and your
19 time and for the attentive way which you have paid attention
20 to the lawyers and the witnesses in this case. Ms. Campbell
21 said that as you guys were driving to the courtroom on
22 Monday morning, you were probably anticipating what type of
23 jury you may be called to serve on. And while y'all were
24 anticipating that, we were anticipating what kind of defense
25 Greg Isaac would raise to defend himself against the charges

1 in this case. How do you defend the indefensible? How do
2 you defend shooting a man in his own home while his seven --
3 I'm sorry, while his eight-year-old son watched from the top
4 of the stairs? How do you defend that (indicating)? You
5 start off by denying you were even there. Then your
6 fingerprint is found on a crucial piece of evidence that
7 puts you at that apartment. Once you realize that that's
8 not a defense, you blame your dead twin brother, may he rest
9 in peace, and say it must have been my twin brother that did
10 this. But what Greg Isaac didn't know at that point in time
11 was that even twins have different fingerprints. Once he's
12 refingerprinted and realizes that doesn't work, blame
13 Antonio Corbitt. He had it coming. He's a drug dealer

14 Once you understand the laws as they apply in this
15 case and realize that self-defense can't apply once you've
16 kicked in a man's door and beaten him while you try to take
17 money from him, blame Tavares World. Blame Murder. Blame
18 your friend who you chose to hang out with. I want to make
19 it very clear, Greg Isaac (indicating) chose to hang out
20 with a man named Murder, a man that his attorney called a
21 child rapist and a man that shoots and robs people. Greg
22 Isaac isn't my friend. I'm not -- I'm sorry, Tavares World
23 isn't my friend. I'm not in the Bishop hanging out with
24 Tavares World. Greg Isaac is (indicating), that's who he
25 chose to hang out with, that's who he chose to associate

1 with, however much he tries to distance himself from those
2 decisions here today.

3 And when you come into the courtroom and those
4 theories are kind of failing, and the victim's now 17,
5 18-year-old son gathers the courage to take the stand and
6 testify, blame him. Tell him he doesn't remember, call him
7 a liar. Ask him if he was lying then or if he's lying now
8 This is the defense of evolution, keep on evolving until you
9 get something that someone may actually buy And even that
10 defense has failed them at this point.

11 You listened to the Defense in this case and it
12 became crystal clear to me when Greg Isaac took the stand
13 just a few hours ago (indicating) and said that at this
14 point the court reporter was not putting things he said into
15 the record. According to Greg Isaac, there's a grand
16 conspiracy between Brian Godfrey, David Wilson, Luck
17 Campbell, John Steadman, Megan Walker,^{R W}
18 Tavares World, Vernorris Dixon and now the court reporter to
19 all come together to conspire to frame this guy (indicating)
20 because nobody else has anything better to do with their
21 time Does that make sense? Does that seem credible to any
22 of you? But I don't want to talk to you about the stories
23 that have been made up to save Greg Isaac at the 11th hour.
24 I want to talk to you about the actual credible evidence
25 that has been corroborated over and over and over again over

1 the course of this trial.

2 You've heard from several witnesses. And there
3 are things that have not changed in the 3130 days that have
4 passed since Antonio Corbitt was murdered. There are things
5 that haven't changed and that have been corroborated. Greg
6 Isaac was hanging out with his friend, Tavares World.

7 That's never changed. Vernorris Dixon came to pick the two
8 of them up. And despite what his attorney said (indicating)
9 just a few minutes, when Greg Isaac was questioned about
10 that, he said I got into the car on my own. That hasn't
11 changed. It's corroborated by Vernorris Dixon's testimony.

12 Then they go to Antonio Corbitt's apartment complex to talk
13 to him at this point about some money owed to Tavares World

14 And in order to have this conversation, according to Greg
15 Isaac, they need to arm themselves because he wasn't
16 planning on an armed robbery And this story kind of
17 changes, depending upon when you ask Greg Isaac and what he
18 thinks is going to be most helpful to him at the time, but
19 now, the codefendant, Tavares World, pulls out a gun and
20 hands it to him. But before he hands it to him, he points
21 the gun in his face and says you're coming with me or you're
22 going to die and then he hands him a gun. He threatens a
23 person with death and then arms the person because that
24 makes sense.

25 The two of them together with these guns -- and at

1 this point, as much as he wants to argue duress he's armed,
2 too, if you listen to his story. They are both armed with
3 guns. You want to kill the bad, like Mr. Schnee said, the
4 only person that deserves to die was Tavares World that
5 night, shoot him. You had a gun. They get together with
6 handguns and they go over to Antonio Corbitt's apartment,
7 knock on the door and when there's no answer, they leave and
8 get back in the car. And according to Vernorris Dixon, and
9 this has remained unchanged, they waited for him to come
10 home. And when they saw that his car was entering the
11 parking lot -- and I agree with Mr. Schnee, Vernorris Dixon
12 minimized his role in this case. They change the position
13 of the car and move it to the back of the apartment complex.
14 They then go up through -- across some sort of creek. They
15 knock on Antonio Corbitt's door. And when he doesn't
16 answer, Tavares World kicks in the door. And you've seen
17 the pictures. That door was kicked off the hinge. The door
18 frame is separated from the rest of the apartment. The dead
19 bolt is still locked and the locked is on the floor. They
20 enter the apartment. And while Mr. Schnee wants to make it
21 true by saying it over and over and over again that the only
22 person who's testified that was present that day was Greg
23 Isaac, R W testified and told you what he saw
24 that day. Men came in and demanded money. It told him to
25 count to ten or they would shoot him.

1 Ladies and gentlemen, I submit that that's exactly
2 what Antonio Corbitt was trying to do. He pulled out his
3 wallet. He pulled out his money. This 311-dollars wasn't
4 enough for them. Where is the money at? It's in the car.
5 And at that point in time, as was his right, as was his duty
6 as a homeowner and as a father, Antonio Corbitt began to
7 fight his attackers off. He fought to protect his home. He
8 fought to protect his own life and he fought to protect the
9 life of his sleeping eight-year-old son. And he fought
10 hard. As Greg Isaac said, he was getting the best of
11 Tavares World, which is when, according to what he told
12 Vernorris Dixon, he picked up a lamp and hit him with it
13 while he was on top of Antonio Corbitt. Do you see where
14 the lamp is in comparison to that end table? Is that
15 consistent with him picking it up and hitting Antonio
16 Corbitt with it to get him off of Tavares World or is that
17 consistent with him bumping into the lamp, into the table
18 where the lamp would have fallen? The lamp is halfway
19 across the room (indicating). But he needs to say it was at
20 the end table so he doesn't get caught up in the burglary.
21 He didn't enter the apartment. But as Mr. Schnee solidified
22 in his closing argument, the shots were fired from inside of
23 the apartment. Greg Isaac was inside of the apartment
24 according to R W and according to the
25 evidence in this case when he fired the shots at Antonio

1 Corbitt. There were two shell casings found at that scene.
2 One was directly inside the apartment. As David Thomas,
3 they would have been ejected back and to the right. And the
4 other was right outside of the door as Mr. Greg Isaac shot
5 Antonio Corbitt (indicating) as he was leaving that
6 apartment.

7 And today when Greg Isaac testified, something
8 which evolved from the July hearing until today, but without
9 a doubt came up for the first time on July 8th. He was
10 threatened, he was threatened in the car Vernorris Dixon
11 testified, there were no threats, there were no demands.
12 Because if there were, wouldn't it make sense for Vernorris
13 Dixon to get on the we were threatened band wagon and
14 resolved him of responsibility That's not what happened.
15 The first time Greg Isaac, despite saying sometimes yeah, I
16 told the investigators that, I told them that I was
17 threatened when they arrested me. They didn't put it in my
18 statement I reviewed my statement. Yes, they said
19 everything that I said in my statement. As much as that
20 evolves, the first time he mentioned any of that was in July
21 of this year. Vernorris Dixon directly contradicts the
22 story that Greg Isaac has been telling, despite the fact
23 that Mr. Dixon got on the band wagon. It would be helpful
24 to Mr. Dixon, too, but he got up here and he told what you
25 happened in the car. No one was threatened on the way to

1 commit this home invasion.

2 You've hear from several witnesses in this case.

3 You've heard from witnesses that the Judge admitted as
4 expert witnesses. And those experts, like Ms Campbell
5 said, can give their opinions on things. Witnesses like
6 Clay Nichols, the doctor who testified, the pathologist who
7 said the gunshot wound that killed Antonio Corbitt was a
8 distance gunshot wound, at the very least, 12 inches away
9 from the victim at the time the gun was fired that caused
10 the victim to bleed out That evidence is corroborated by
11 the crime scene photos, by the testimony of the eyewitnesses
12 who were there and who saw the victim in this case bleeding
13 out as he asked for help and he took his last breath.

14 You heard from Dr. Gray Amick, the DNA expert, who
15 said that the blood that was collected from that apartment
16 all belonged to Antonio Corbitt. You heard from David
17 Collins who testified about the ballistics in this case.
18 The two recovered shell casings, the two projectiles that's
19 possible they were fired from the same gun. And that
20 evidence is corroborated by Greg Isaac's own statement when
21 he said he fired two shots. He said he fired two shots. Lo
22 and behold, there are two shell casings and two projectiles.
23 That evidence is corroborated.

24 You heard Patricia Odom with the Richmond County
25 Sheriff's Department She got up here and testified about

1 fingerprints and how they're matched and that the
2 Defendant's fingerprint was on the lamp that was found
3 halfway across the room in the victim's apartment. Her
4 findings got this case rolling.

5 And you heard from Joseph Powell, the GSR expert,
6 and he testified that there was no gunshot residue on the
7 victim's hand. And that the absence of gunshot residue
8 indicates someone who was not firing a weapon or close to a
9 weapon when it was fired, which is corroborated by the
10 ballistics in this case, which say that the victim was at
11 least a foot away from the gun when it was fired. Now, on
12 cross-examination, Mr. Schnee tried to insinuate that the
13 blood from the victim's wound would have washed away the
14 gunshot residue. And what Mr. Powell said was no, actually,
15 the blood would have absorbed and preserved the gunshot
16 residue. And Mr. Schnee said well, do you have any blood or
17 your swabs? Yeah, that was the answer to that question.
18 The gunshot residue would have been preserved by the blood
19 on those swabs. There was none. And there was none because
20 Antonio Corbitt did not fire a shot that night.

21 But for a second, let's venture into the
22 Defendant's world of make believe and buy any of the several
23 theories that they put forth over the course of this trial.
24 Let's say Antonio Corbitt did fire a gun that night. It
25 with have been his absolute right to when his door was

1 kicked in by Tavares World and Greg Isaac that pointed guns
2 at him demanding money. It would have been his absolute
3 right to fire a gun that night. But the evidence clearly
4 indicates that the only person who fired a gun that night is
5 Greg Isaac.

6 There were a number of eyewitnesses and neighbors
7 that talked to you about what they saw. Sheila Ponds, she
8 was a neighbor. She heard the door get kicked in, then she
9 heard the tussle. She went to her daughter's, remember, and
10 checked on her, then went out and saw the victim going from
11 door to door begging for help.

12 You heard from Taj Cooper, who was the last person
13 to speak to the victim that night before the phone went
14 dead. At that time, he didn't think anything of it. You
15 hear from Chris Cummins who discovered that when those
16 gunshots were fired, a bullet went through the window of his
17 apartment. You heard from Jirch Fladger, who it was a
18 neighbor that heard the gunshots and commotion and called
19 911. And you heard from John Gist and Trina Gist, who went
20 outside, crossed over to the victim's apartment, attempted,
21 as -- did to perform CPR on him. Told him to hold on, hold
22 on because help was on the way. John Gist, who looked in
23 and saw a young guy who was shaking and scared and not
24 moving and took him out of that apartment and to his home.
25 And I guess these are the people that Mr. Schnee wants you

1 to believe went into the home to remove marijuana and a gun.
2 Does that make sense? While they're performing CPR and
3 saving the child from having to watch his father bleed out
4 on the sidewalk, they say now would be a good time to go get
5 some marijuana and a gun and take it out of the apartment.
6 These people didn't even know Antonio Corbitt What benefit
7 would give to any of them? How do you defend the
8 indefensible?

9 You heard from several law enforcement officers.
10 You heard from Thomas Hodges, who was the first to arrive
11 and secured the crime scene. You heard from Ray Livingston,
12 who took the pictures that you will have back there with you
13 in evidence as he described the blood that was throughout
14 the living room and foyer of that apartment You heard from
15 Jay Russell, who went to the autopsy and collected the
16 projectile. You heard from Diane Bodie, who after years and
17 years of trying ran the fingerprint on that lamp through the
18 database that lead law enforcement to Greg Isaac. And,
19 finally, you heard from Brian Godfrey and David Wilson, who
20 are members of the cold case unit at the Richland County
21 Sheriff's Department They as well as Antonio Corbitt's
22 family never gave up on solving this homicide. They chased
23 down every clue and as they testified looked at a number of
24 suspects. They were seeking the truth. If they just wanted
25 to get a conviction, they didn't have to wait eight years to

1 do it. They were seeking the truth. They were seeking the
2 true perpetrators of the crimes that night. They were
3 seeking the murderer of Antonio Corbitt and that lead them
4 to Greg Isaac (indicating).

5 Finally, during the Defense's case, the Defendant
6 got up here and he testified. And his testimony was vastly
7 different than his statement. And you will have that
8 statement with you when you deliberate

9 The first statement he gives on April 11th of 2012
10 after he has been advised of his rights, do you know the man
11 in the picture that I showed you of Antonio Corbitt?

12 No.

13 Have you ever been inside his apartment for any
14 reason?

15 Not that I know of, I don't think so.

16 Now that we show you the apartment complex -- but
17 remember when he was testifying, he tried to say that this
18 statement happened before they showed him the apartment
19 complex. It clearly says now that we showed you the
20 apartment complex, do you remember going into an argument --
21 going into an apartment to see that man?

22 No, sir.

23 Did you shoot Antonio Corbitt in October of 2005?

24 No.

25 Were you present in his apartment when he was

1 shot?

2 No.

3 Is there anything you would like to add to your
4 statement?

5 No.

6 Lie, lie, lie, lie. Would this have been the
7 perfect time to talk about duress and the death threats, the
8 fact that he was afraid for his family because his friend,
9 the person that he hangs out with all the time was going to
10 kill him? You have the police right there with you.
11 Tavares is already in jail. Tell them then. But no, much
12 like he did today, he attempting to save himself at that
13 point.

14 Once he realizes there's some evidence that
15 contradicts his saying he'd never been inside the apartment,
16 his story changes for the first time. We went to the
17 apartment and the man wasn't at home. It was Tavares World,
18 Vernorris Dixon and I. And he uses their nicknames, Murder
19 and -- we rode the parking lot for a few minutes. They knew
20 his car. When we rode through the parking lot, they saw his
21 car. We got out of the Nissan Altima that we were in and
22 walked back to the man's apartment. He never mentions
23 anything about a threat. Tavares and I went up to the door.
24 Dixon stayed in the car Tavares started beating on the door
25 Tavares started to kick the door, but it came open. He went

1 inside and I stayed in the doorway. Tavares said where is
2 my money. The man said something, but I couldn't understand
3 what he said. And then he says what he said. And I'll let
4 you read this for yourself. You'll have the statement back
5 there. The man started fighting Tavares. They were
6 fighting by the door. I was telling him to chill out. They
7 were fighting all over the furniture. At some point, they
8 fell into me, I fell into the table that the lamp was on. I
9 tried to catch the lamp before it fell and busted, but it
10 fell anyway. They went on the floor and the man was on top
11 of Tavares and was beating him. I hit the man in the back
12 and tried to pull him off of Tavares. But now he's saying
13 he never went into the apartment and he never hit anybody.

14 They got up and I was trying to pull Tavares out
15 the door. As I was trying to pull Tavares out the door, I
16 saw the man back up and Tavares backed up. The man reached
17 behind him to his waist. I thought he was going for a gun.
18 But now, he's outside of the apartment and when all of this
19 is going on, Tavares is running beside him, bumping him and
20 at that point outside of the apartment with the victim
21 standing in the doorway is when this reaching for a gun
22 happened. None of which is corroborated by any of the
23 evidence in this case.

24 Got the gun in my waistband. I think I shot
25 twice. We went back to the car. Dixon was waiting and we

1 left. He doesn't remember what he was wearing, says Tavares
2 did not have dreadlocks at the time. He talks about the
3 car.

4 Where did you get the gun you were carrying that
5 night?

6 Tavares had given it to me before we went to the
7 man's apartment. We were in the car headed to the man's
8 apartment.

9 Do you know what type of gun that was -- that it
10 was you shot the man with?

11 It was a 380 cal. It was black.

12 Why were you three going to the man's apartment?

13 Tavares wanted to confront the man, not talk to
14 him, not try to sit down and try to have a pleasant
15 conversation about some money. He wanted to go there to
16 confront the man and they armed themselves with guns to do
17 so over a drug deal gone bad. He gave Tavares back the gun
18 and he never saw it again. He talks about Tavares having
19 pulled the same gun on him a month before. And he talked
20 about that on the stand (indicating), about Tavares pulling
21 -- well, the first time they meet, they stare each other
22 down. And then the second time they meet, Tavares, for some
23 unknown reason, gets out of the car, walks up to Greg Isaac
24 and pulls a gun on him, slaps him in the face and then walks
25 off. But they were able to get past all of that and begin a

1 friendship.

2 Tavares was mad because the man had ripped him
3 off. Tavares had a nine, Greg had a 380. He said we argued
4 in the car, then we left. I asked him why he didn't just
5 come out when I tried to tell him to leave. I got quiet.
6 He kept asking me if I was all right. Tavares kept asking
7 Greg if he was all right. He threatened to kill me or
8 someone close to me if I ever talked about the shooting.

9 Did you ever tell anyone about the shooting?

10 No, I was afraid.

11 Do you know if Tavares or Dixon ever told anyone?

12 No, I don't know.

13 Then they talk about Earl Cooper. And he says did
14 anyone know the man's son was upstairs that night?

15 No, sir.

16 Did you and Tavares talk about the shooting in
17 front of or with Dixon in the car after the shooting?

18 Yes, he knew I shot the man.

19 And Vernorris got up here and told you what Greg
20 Isaac told him about the murder that he committed.
21 Vernorris said that Tavares kept asking Greg why did you
22 have to shoot him? Why did you have to shoot him? Why did
23 you have to shoot him?

24 That story has evolved somewhat, but even by the
25 most recent version of this, Greg Isaac is still guilty of

1 murder because as Judge Newman will tell you, duress is not
2 a defense to murder. There's nothing -- all of the evidence
3 contradict the latest story that they've come up with and
4 shared with you today -- that Greg Isaac has come up with
5 and shared with you today.

6 When Mr. Schnee started, he said this case is
7 about three people. First, this was a drug dealer. Second
8 is an 18-year-old scared, threatened and victimized kid.

9 Ladies and gentlemen, I submit to you that I can
10 agree with Mr. Schnee on this one point, there was a scared,
11 threatened, victimized kid in this case, but it's not Greg
12 Isaac. You saw his demeanor on the stand. Is Greg Isaac
13 afraid of any one? He admitted he had a bad attitude at
14 that point in time. The scared, threatened, victimized kid
15 in this case was ^R W (indicating), who came
16 here and told you about the men holding his father at
17 gunpoint and demanding money. At any point in time while he
18 was armed with a gun, Greg Isaac could have walked away.
19 There were numerous people in the apartment complex that
20 night. He could have walked away. He could have called the
21 police and told them there was a madman out, pointing guns
22 at people and making them commit armed robberies, but he
23 didn't do that because it's not true.

24 What Mr. Schnee and Greg Isaac want you to do is
25 to endorse a theory that once someone kicks in a homeowner's

1 door and threatens them at gunpoint, the homeowner does not
2 have a right to defend himself. That if he goes and reaches
3 for something to defend himself, the home invader, the
4 criminals, the bad guy can pull a gun on him and shoot him
5 and then claim self-defense to avoid any accountability or
6 responsibility for his actions. That is absurd.

7 What Mr. Steadman asked you to do at the beginning
8 of this trial, what Ms. Campbell asked you to do when she
9 was talking to you about the laws of this case and what I'm
10 going to ask you to do is read Mr. Greg Isaac's statement.
11 Look at the pictures in this case. View the credibility of
12 the witnesses; whether or not their testimony has been
13 corroborated by the other evidence in this case and then
14 reach a verdict that speaks the truth, a verdict that
15 justice requires. Hold Greg Isaac (indicating) for the
16 choices that he made on October 27th of 2005 when he went
17 with Tavares World armed with guns to confront someone about
18 a drug deal, when he and Tavares World kicked in the door,
19 when he and Tavares World held Antonio Corbitt at gunpoint
20 and demanded money, and when he said I'm going to count to
21 ten, then I'm going to shoot and then he did just that.
22 Hold Greg Isaac (indicating) accountable for what he did.
23 Don't let him -- responsibility in this case. We ask that
24 you return three guilty verdicts in this case, one for
25 attempted armed robbery, one for burglary in the first

1 degree and one for murder. Thank you very much for your
2 attention.

3 THE COURT: Ladies and gentlemen of the jury,
4 we'll take a 10-minute break now. Please go to the jury
5 room. I'll have you come back for the jury charge in 10
6 minutes. Please do not discuss the case.

7 (Whereupon, the jury left the courtroom
8 at 4:10 p.m.)

9 THE COURT: All right. 10 minutes my friends
10 (Whereupon, a short recess was held.)

11 THE COURT During the jury charge, I don't want
12 any one moving around or coming or going, so if you need to
13 leave, leave now, otherwise, stay put.

14 All right. Let's bring them on. Bring the jury
15 in, please

16 BAILIFF: Yes, Your Honor.

17 (Whereupon, the jury returned to the
18 courtroom at 4:52 p.m.)

19 BAILIFF: Your Honor, the jury is present and
20 seated.

21 THE COURT: Very good. Thank you.

22 Mr. Foreman, members of the jury, you heard the
23 testimony, the evidence and the arguments of the State and
24 the Defendant. I will now explain to you the law that
25 applies to this case. Under the constitution and laws of

1 South Carolina, you are the finders of the facts of this
2 case. I do not have the right to pass upon the facts or
3 even to express any opinion that I might have as to them
4 because this is a matter solely for you, the jury, to
5 determine. As jurors then, it is your duty to determine the
6 fact, the value, the weight and the truth and the evidence
7 presented during this trial. You are, also, the judges, the
8 sole judges of the credibility, that is the believability of
9 the witnesses who have testified and of the evidence which
10 has been presented during this trial.

11 In passing upon credibility, you may take into
12 consideration many things such as the demeanor or manner of
13 testifying, whether the witness had reason to be bias or
14 prejudice or whether the testimony of a witness was
15 contradicted on the one hand or supported and corroborated
16 on the other hand. All of these things you will
17 consider bearing in mind that you should give the Defendant
18 the benefit of any reasonable doubt. It becomes your duty
19 as jurors to analyze and to evaluate the evidence and
20 determine that evidence which convinces you of its truth.

21 Now, the rules of evidence ordinarily do no permit
22 witnesses to testify to opinions or conclusions. An
23 exception to this rule is this for witnesses we call expert
24 witnesses A witness who by training, education and
25 experience has become expert in some art, science,

1 professional calling may state an opinion as to relevant and
2 material matters in which the witness claims to be an expert
3 and may also state the reasons for the opinion. You should
4 consider any expert opinion received in evidence in this
5 case and like the other evidence give it the weight that you
6 think it deserves. If you decide that the opinion of an
7 expert is not based on sufficient training, education and
8 experience or if you conclude that the reasons given in
9 support of the opinion are not sound or that the opinion is
10 outweighed by other evidence, you may disregard the opinion
11 entirely. The testimony of an expert witness is to be given
12 no greater weight than that of other witnesses simply
13 because the witness is an expert. Further, you are not
14 required to accept the opinion of an expert even though it
15 is not contradicted

16 The person who has a past criminal record is
17 competent to testify during a trial. A past record does not
18 affect the ability of that witness testify. The past record
19 may be considered by you, if at all, in determining the
20 believability of the witness. Remember, you are the sole
21 judges of the facts of the case and of the believability of
22 any and all of the witnesses.

23 You've heard evidence that the Defendant was
24 convicted of a crime other than the one for which he is now
25 on trial. This evidence may be considered by you, if you

1 conclude that it's true, only in deciding whether the
2 Defendant's testimony is believable and for no other
3 purpose. You must not consider the Defendant's record as
4 any evidence of the Defendant's guilt of the charges we are
5 trying today

6 There are two types of evidence which are
7 generally presented during a trial, direct evidence and
8 circumstantial evidence. Direct evidence directly proves
9 the existence of a fact and does not require deduction.
10 Circumstantial evidence is proof of a chain of facts and
11 circumstances indicating the existence of a fact. Crimes
12 may be proven by circumstantial evidence. The law makes no
13 distinction between the weight or value given to either
14 direct or circumstantial evidence. However, to the extent
15 the State relies on circumstantial evidence, all of the
16 circumstances must be consistent with each other and when
17 taken together point conclusively to the guilt of the
18 accused beyond a reasonable doubt. If these circumstances
19 merely portray the behavior of the Defendant as suspicious,
20 the proof has failed. The State has the burden of proving
21 the Defendant guilty beyond a reasonable doubt. This burden
22 rest with the State regardless of whether the State relies
23 on direct evidence, circumstantial evidence or some
24 combination of the two.

25 A statement alleged to have been made by the

1 Defendant has been admitted into evidence in this case.
2 While the Court has determined that the statement is
3 admissible, I instruct you that you make the ultimate
4 decision of whether or not the Defendant made the statement.
5 If the Defendant did make the statement, you must determine
6 whether the statement was made by the Defendant voluntarily
7 and of his own free will. This means that the statement was
8 not caused by pressure, force, fear, threats, coercion or
9 intimidation or by hope or a promise of leniency or a reward
10 of any kind. In determining whether the statement was
11 voluntary, you should consider both the characteristics of
12 the Defendant and the details of the questioning. Some of
13 the facts that you must consider are the age of the
14 Defendant, the education or lack of education of the
15 Defendant, the mental ability or capacity of the Defendant,
16 the IQ or intelligence of the Defendant, the background and
17 environment of the Defendant, the place and length of
18 detention, the nature of the questioning and the advice or
19 lack thereof to the Defendant of his constitutional rights,
20 including but not limited to the right to remain silent,
21 that any statement could be used against him in a court of
22 law, the right to have a lawyer present, that if he could
23 not afford a lawyer, a lawyer would be appointed to
24 represent him without any cost, that he could stop making a
25 statement at any time. You must carefully consider all of

1 the surrounding circumstances before you give any weight to
2 the alleged statement. The State has the burden of proving
3 beyond a reasonable doubt that the alleged statement was
4 voluntary. If you determine that it was, you may give the
5 statement any further consideration that you deem proper.
6 You must decide what weight, if any, should be given to the
7 alleged statement. If you determine the alleged statement
8 was not a free and voluntary statement of the Defendant, you
9 should not consider the statement at all.

10 Now, as the trial judge, it is my responsibility
11 to preside over the trial of this case and to rule upon the
12 admissibility of the evidence offered during the trial. You
13 are to consider only the testimony which has been presented
14 from this witness stand together with any exhibits which
15 have been made a part of the record. I have the additional
16 duty to charge you the law applicable to this case. And as
17 the presiding judge, I am the sole judge of the law in this
18 case. It is your duty as jurors to accept as correct and
19 apply the law as I now state it to you and then reach your
20 verdict. And, finally, I charge you in this regard that you
21 should not be concerned with what you think the law ought to
22 be, but rather what I charge you that the law is.

23 Now, the fact that the Defendant was arrested,
24 charged and indicted in this case is not evidence in this
25 case and cannot be considered by you as evidence of guilt in

1 this case nor does it create any presumption or inference of
2 guilt. The indictments are simply the formal written
3 instruments which contain the charges made against the
4 Defendant. An indictment is the formal document by which a
5 case is brought to court.

6 Now, the indictments in this case allege three
7 different offenses against the Defendant. The charges are
8 murder, burglary first degree and attempted arm robbery.
9 Each indictment charges a separate and distinct offense.
10 You must decide each indictment separately under the
11 evidence and the law applicable to it uninfluenced by your
12 decision as to the other indictments. The Defendant may be
13 convicted or acquitted on each indictment. You will be
14 asked to write a separate verdict of guilty or not guilty on
15 each indictment

16 The Defendant has plead not guilty to the charges
17 in each indictment. And that plea places the burden on the
18 State to prove the Defendant guilty. A person charged with
19 committing a criminal offense in South Carolina is never
20 required to prove himself innocent. I charge you it is an
21 important rule of the law that a defendant in a criminal
22 trial, no matter what the seriousness of the charge may be
23 will always be presumed to be not guilty of the crimes for
24 which the indictments were issued unless guilt has been
25 proven by evidence satisfying you of that guilt beyond a

1 reasonable doubt.

2 The presumption of innocence does not end when you
3 begin your deliberations, but it accompanies the Defendant
4 throughout the trial until you reach a verdict of guilt
5 based on evidence satisfying you of that guilt beyond a
6 reasonable doubt. The presumption of innocence is like a
7 robe of righteousness placed about the shoulders of the
8 Defendant which remains with the Defendant until it has been
9 stripped from the Defendant by evidence satisfying you of
10 the Defendant's guilt beyond a reasonable doubt. Now, the
11 presumption of innocence is not a mere legal theory. It's
12 not just a legal phrase. It is a substantial right to which
13 every defendant is entitled unless you, the jury, are
14 satisfied from the evidence of the Defendant's guilt beyond
15 a reasonable doubt.

16 The State must prove the Defendant guilty beyond a
17 reasonable doubt. So what is a reasonable doubt in the law?
18 A reasonable doubt is a doubt which makes an honest,
19 sincere, conscientious juror in search of the truth to
20 hesitate to act. Proof beyond a reasonable doubt must
21 therefore must be proof of such a convincing character that
22 a reasonable person would not hesitate to rely and act upon
23 in the most important of his or her own personal affairs
24 Proof beyond a reasonable doubt can also be described as
25 proof that leaves you firmly convinced of the Defendant's

1 guilt.

2 Now, there are very few things in this world that
3 we know with absolute certainty. And in criminal cases, the
4 law does not require proof that overcomes every possible
5 doubt. If based on your consideration of the evidence, you
6 are firmly convinced that the Defendant is guilty, then you
7 must find him guilty. If on the other hand, you think that
8 there's a real possibility that he is not guilty, you must
9 then give him the benefit of the doubt and find him not
10 guilty.

11 The Defendant is charged with murder. The State
12 must prove beyond a reasonable doubt that the Defendant
13 killed another person with malice aforethought. Malice is
14 hatred, ill will or hostility towards another person. It is
15 the intentional doing of a wrongful act without just cause
16 or excuse and with an intent to inflict an injury or under
17 circumstances that the law will infer an evil intent.
18 Malice does not necessarily impart ill will toward the
19 individual injury, but signifies, rather, a general
20 malignant recklessness of the lives and safety of others or
21 a condition of mind which shows the heart regardless of the
22 social duty and fatally bent on mischief.

23 Malice aforethought does not require that malice
24 exist for any particular time before the act is committed,
25 but malice must exist in the mind of the Defendant just

1 before and at the time the act is committed. Therefore,
2 there must be a combination of previous evil intent and the
3 act. Malice aforethought may be expressed or inferred
4 These terms expressed and inferred do not mean different
5 kinds of malice, but merely the manner in which malice may
6 be shown to exist. That is either by direct evidence or by
7 inference from the facts and circumstances which are proved
8 Expressed malice is shown when a person speaks words which
9 express hatred or ill will toward another or when a person
10 prepared beforehand to do the act which was later
11 accomplished. For example, lying in wait for a person or
12 any other acts of preparation going to show that the deed
13 was within the mind of the defendant would be expressed
14 malice

15 If one intentionally kills another during the
16 commission of a felony, the inference of malice may arise.
17 If facts are proved beyond a reasonable doubt sufficient to
18 raise an inference of malice to your satisfaction, this
19 inference would simply be an evidentiary fact to take into
20 consideration by you along with all other evidence in the
21 case and you may give it the weight you decide it should
22 receive I charge you that under South Carolina law
23 first-degree burglary and attempted armed robbery are
24 felonies.

25 The Defendant is charged with first-degree

1 burglary. The State must prove beyond a reasonable doubt
2 that the Defendant entered a dwelling without consent. A
3 dwelling is any building or portion of a building in which a
4 person normally sleeps. The State must prove that the
5 Defendant entered the dwelling. Next, the State must prove
6 beyond a reasonable doubt that the Defendant intended to
7 commit a crime, either a felony or a misdemeanor at the time
8 of the entry. The mere entry into a dwelling without
9 consent is not burglary. If the intent to commit a crime is
10 formed after the entry, it is not burglary. On the other
11 hand, if a defendant intended to commit a crime at the time
12 of the entry, it is a burglary even if intent was abandoned
13 after the entry. It does not matter that the intended crime
14 was not completed.

15 Intent can be shown by acts and conduct of the
16 Defendant and other circumstances from which you may
17 naturally and reasonably infer intent. Finally, the State
18 must prove beyond a reasonable doubt that when entering or
19 in the dwelling or when fleeing, the Defendant or an
20 accomplice was armed with a deadly weapon. A deadly weapon
21 is an article, instrument or substance which is likely to
22 cause death or great bodily harm. Whether an instrument is
23 a deadly weapon depends on the facts and circumstances of
24 each case or when entering, while in the dwelling or when
25 fleeing, the Defendant or accomplice caused physical injury

1 to anyone not participating in the crime or the Defendant
2 entered or remained in the dwelling in the nighttime.
3 Nighttime is the period between sunset and sunrise during
4 which there is not enough daylight to recognize the face of
5 another person except by artificial light or moonlight.

6 The Defendant is charged with attempted armed
7 robbery. In order to prove this offense, the State must
8 prove beyond a reasonable doubt that the Defendant attempted
9 to take personal property from the person or presence of
10 another person. Property is in the presence of a person if
11 it is within the reach, inspection, observation or control
12 of a person so that a person could if not overcome with
13 violence or prevented by fear keep possession of the
14 property. The State must also prove beyond a reasonable
15 doubt that the Defendant attempted to carry the property
16 away intended to permanently deprive the owner of the
17 property. The attempt to take and carry away the property
18 must have been done with violence or by putting the owner of
19 the property in fear of violence. Finally, the State must
20 prove beyond a reasonable doubt that the Defendant was armed
21 with a deadly weapon during the attempted robbery.

22 An attempt is an effort to accomplish a crime
23 which does not succeed. An attempt includes specific intent
24 to do a particular criminal act along with an act falling
25 short of the act intended. The State must show more than

1 their preparation and attempt. It must be some overt act
2 committed in the effort to commit the crime. Intent means
3 intending the result which actually occurs, not accidentally
4 or involuntary. Intent may be shown by acts or conduct of
5 the Defendant and other circumstances for which you may
6 naturally and reasonable infer intent

7 If a crime is committed by two or more people who
8 are acting together in committing the crime, the act of one
9 is the act of all. A person who joins with another or
10 others to commit an unlawful act is criminally responsible
11 for everything done by the other person which happens as a
12 probable and natural consequence of the acts done in
13 carrying out the common plan and purpose. For example, two
14 people can be guilty of killing another person when only one
15 of the two had a gun, there is only bullet and only one of
16 the two fired the shot that caused the death. If two or
17 more people are together acting together, assisting each
18 other in committing the offense, the act of one is the act
19 of all or as it is sometimes said, the hand of one is the
20 hand of all.

21 Prior knowledge that a crime is going to be
22 committed without more is not sufficient to make a person
23 guilty of that crime. Mere knowledge that another person is
24 going to commit a crime even if the defendant is present
25 when the crime is committed is not sufficient to convict a

1 defendant as a principal. Guilt as a principle is shown by
2 actual or constructive presence at the scene of the crime as
3 a result of a prior arrangement. Therefore, a finding of a
4 prior arranged plan or common scheme is necessary for a
5 finding of guilt as a principal. The State must prove
6 beyond a reasonable doubt or competent evidence the theory
7 of the hand of one is the hand of all. A principal in a
8 crime is one who either actually commits the crime or who is
9 present aiding, abetting or assisting in committing the
10 crime. When a person does an act in the presence of and
11 with the assistance of another, the act is done by both.
12 Where two or more acting with a common plan or intent are
13 present at the commission of a crime, it does not matter who
14 actually commits the crime, all are guilty. The hand of one
15 is the hand of all. Present at the commission of a crime
16 means to be sufficiently near to aid and abet and assist in
17 the commission of the crime. However, mere presence at the
18 scene of a crime is not sufficient to convict one as a
19 principal under the theory of aiding and abetting.

20 As to the charge of murder, the Defendant has
21 raised the defense of self-defense. Self-defense is a
22 complete defense and if it is established, you must find the
23 Defendant not guilty as to the charge of murder. The State
24 has the burden of disproving self-defense by proof beyond a
25 reasonable doubt. If you have a reasonable doubt of the

1 guilt of the Defendant after considering all of the
2 evidence, including the evidence of self-defense, then you
3 must find the Defendant not guilty. On the other hand, if
4 you have no reasonable doubt of the guilt of the Defendant
5 after considering all of the evidence, including the
6 evidence of self-defense, then you must find the Defendant
7 guilty.

8 The following elements are required to establish
9 self-defense: First, the Defendant must be without fault in
10 bringing on the difficulty. If the conduct of the Defendant
11 was the type which was reasonably calculated to and did
12 provoke the deadly assault, the Defendant would be at fault
13 in bringing on the difficulty and would not be entitled to
14 an acquittal based on self-defense. The second element of
15 self-defense is that the Defendant was actually in imminent
16 danger of death or serious bodily injury or that the
17 Defendant actually believe that he was in imminent danger of
18 death or serious bodily injury. If the Defendant was
19 actually in imminent danger, it must be shown that the
20 circumstances warranted a person of ordinary firmness and
21 courage to strike the fatal blow to prevent death or serious
22 bodily injury. If the Defendant believe he was in imminent
23 danger of death or serious bodily injury, it must be shown
24 that a reasonable prudent person of ordinary firmness and
25 courage would have had the same belief. In deciding whether

1 the Defendant actually was or believed he was in imminent
2 danger of death or serious bodily injury, you should
3 consider all the facts and circumstances surrounding the
4 crime, including the physical condition and characteristics
5 of the Defendant and the victim. The Defendant does not
6 have to show he was actually in danger. It is enough that
7 the Defendant believed he was in imminent danger and a
8 reasonably prudent person of ordinary firmness and courage
9 would have had the same belief. The Defendant has the right
10 to act on appearances even though the beliefs of the
11 Defendant may have been mistaken. It is for you to decide
12 whether the fear of immediate danger of death or serious
13 bodily injury of the Defendant was reasonable and would have
14 been felt by an ordinary person in the same situation.

15 The final element of self-defense is that the
16 Defendant had no other probable way to avoid the danger of
17 death or serious bodily injury than to act as the Defendant
18 did in this particular incident. A person cannot be
19 required to make an exact calculation as to the degree or
20 amount of force which may be needed to avoid death or
21 serious bodily injury, therefore, self-defense, the
22 Defendant has the right to use the force needed to avoid
23 death or serious bodily harm. The force used in
24 self-defense does not have to be limited to the degree or
25 amount of force used by the victim. The Defendant has the

1 right to use so much force as appeared to be necessary for
2 complete self-protection in which a reason -- a person of
3 ordinary reason and firmness would have believed to be
4 needed to prevent death or serious bodily harm.

5 As to the burglary first-degree and attempted
6 armed robber charges, the Defendant has raised the defense
7 of duress. Duress is when a person makes another person
8 commit a crime against a person or property of someone else
9 by the threat of immediate physical violence. The duress
10 must be presence, imminent and of the type to create a
11 well-rounded fear of death or serious bodily harm if the act
12 is not done. The fear of injury must be reasonable. Duress
13 is not a defense if there is any reasonable way other than
14 committing the crime for the Defendant to going escape the
15 threat of harm. Duress is not a defense to the crime of
16 murder. The Defendant must prove the defense of duress by
17 preponderance of the evidence. If you find that the
18 Defendant was coerced into committing the crimes of
19 first-degree burglary or attempted armed robbery, you must
20 find the Defendant not guilty of that crime or crimes

21 In order to establish criminal liability, criminal
22 intent is required. For example, the mental state required
23 to be proved by the State for a particular crime might be
24 purpose, intend, knowledge, recklessness or criminal
25 negligence. Criminal intent must be proven by the State

1 beyond a reasonable doubt. A criminal intent is also a
2 matter that must be determined by the jury by the
3 circumstances surrounding the situation. There is no way to
4 prove intent to a mathematical certainty. There's no way
5 medical science can dissect the brain of a person and
6 determine what a person had in mind. So the law said that
7 criminal intent may be inferred from the circumstances shown
8 to have existed. This is how you make a determination of
9 whether or not the element requiring intent was present. It
10 is not necessary to establish intent by direct and positive
11 evidence, but intent may be established by inference in the
12 same way as any other fact by taking into consideration the
13 acts of the parties and all the facts and circumstances of
14 the case. Criminal intent is a mental state, a conscious
15 wrongdoing. It is up to you to determine what the Defendant
16 intended to do based on the circumstances shown to have
17 existed.

18 Voluntary intoxication is not an excuse or a
19 defense to a crime regardless of whether the crime is one
20 involving general or specific intent. This rule also
21 extends to voluntary ingestion of drugs. A person who
22 voluntarily ingest alcohol or drugs and their body becomes
23 intoxicated is no less responsible for his acts while in
24 such condition. If one voluntarily ingest drugs and becomes
25 intoxicated to whatever degree and while in that condition

1 commits an act that would be a crime if it had been
2 committed by a sober person, the fact of intoxication would
3 not relieve the intoxicated person from responsibility.

4 Some of you have taken notes during the trial of
5 this case. However, please, remember that a juror's notes
6 should not be given any greater weight than the recollection
7 of other jurors. The recollections of individual jurors
8 should be considered as reliable as notes taken by any other
9 juror.

10 Mr. Foreman, and members of the jury, I am
11 required to charge you the law as I have done through these
12 instructions now being given to help guide you to a just and
13 lawful verdict. Whether some of these instructions will
14 apply will depend upon what you find to be the facts. The
15 fact that I have instructed you on various subjects in this
16 case must not be taken as indicating an opinion of this
17 Court as to what you should find to be the facts or what
18 your verdict should be

19 In conclusion, you have been selected by both the
20 State and the Defendant to be fair and impartial jurors. It
21 is your duty then in your joint deliberations to determine
22 the truth in this case giving the Defendant the benefit of
23 every reasonable doubt on each charge. And from the facts
24 which you determine to be true, you take and apply the law
25 which I have just given you and thus arrive at a verdict

1 that speaks the truth in this case.

2 I have told you the standards you have to apply to
3 the charges of murder, burglary first-degree and attempted
4 armed robbery. I will give you a copy of these instructions
5 in written form. During your deliberations, you may refer
6 to the instructions to guide your decision-making. You must
7 consider the instructions as a whole and not follow some and
8 ignore others.

9 You've heard the evidence and now you have heard
10 the law. Whatever your verdict as to each indictment, Mr.
11 Foreman, you will indicate it on the back of the indictment
12 by writing the words guilty or not guilty. You will then
13 sign and date the indictment. So as to each indictment,
14 there's a spot on the back for you to write the verdict
15 where it says verdict, underneath you will write not guilty
16 or guilty as to each charge. And, certainly, there's no
17 order of significance in the order in which I state the
18 possible verdicts, simply one must be stated first.

19 Remember that although the foreperson is the only
20 juror who writes the verdict, it is not his alone. The
21 verdict has to be a unanimous verdict, all of you must
22 agree.

23 Mr. Foreman, you're not authorized to write the
24 verdict until all of you have agreed to what the verdict
25 should be as to each indictment.

1 Now, ladies and gentlemen, I'm going to send you
2 to your jury room, all of you except the last two jurors
3 selected, but do not begin to discuss the case until you
4 have received a copy of this jury charge, the indictments
5 and the exhibits. Once you receive these things, that will
6 be your signal to begin your deliberations. Once you begin
7 deliberating, you will deliberate until you have reached a
8 verdict, at which time, you will knock on the door, advise
9 the bailiff and we will bring you out to receive your
10 verdict. And I'll take the liberty to order something else
11 for you all to eat. I know it's now 5:00 and you'll have
12 more food delivered to the jury room. So please go to the
13 jury room now, all except the two alternates that were
14 selected.

15 (Whereupon, the jury left the courtroom
16 at 5:07 p.m)

17 THE COURT: Any additions or exceptions to the
18 charge from the State or Defense?

19 MS. WALKER: The only thing, Your Honor, I would
20 ask that -- I don't think we -- attempted armed robbery, you
21 said that they had to be armed basically or representation,
22 just that language, if you just could just add it into the
23 charge that's sent back to them. I don't think you need to
24 recharge them on that And maybe I misheard it.

25 THE COURT. All right. By the Defense?

1 MR. SCHNEE: I honestly didn't hear that part,
2 whether you said it or not, Your Honor. I have no objection
3 to simply adding it to the written charge. It's certainly
4 written on the indictment. I don't think there's a question
5 the representation of a weapon is an issue in this case
6 anyway

7 MS WALKER: Yeah, if we could just add it in.
8 I'm not trying to recharge them or anything.

9 THE COURT: It says you must prove beyond a
10 reasonable doubt that the Defendant was armed with a deadly
11 weapon during the attempted robbery.

12 MS. WALKER: Yes, sir. And I believe the law is
13 that or any object which the person -- reasonably believed
14 to be a deadly weapon. It doesn't apply in this case so
15 much, I just don't want them to think I argued something to
16 them -- that's my only concern.

17 THE COURT: Yeah, generally, I don't include
18 anything in the charge that's not applicable to the facts of
19 the case. It's clear that a deadly weapon may be a bomb or
20 --

21 MS. WALKER: I understand, Judge.

22 THE COURT: All of those things. I can put it in
23 here if it's important, but it's insignificant really.

24 MS. WALKER: And the only reason is that I said it
25 to them in my charges is the only reason I'm asking for

1 that.

2 THE COURT: I'm sure they remember every word you
3 say

4 (Laughter.)

5 THE COURT: I understand. Or representation.

6 MR. SCHNEE: I don't have anything else, Your
7 Honor.

8 THE COURT: All right. If y'all would check on
9 the exhibits there.

10 Two persons I'd like to talk to for a minute, our
11 two alternates. We select 14 jurors, two extra in the event
12 something might happen to the first 12, someone might get
13 sick, someone -- all kinds of things happen, but where they
14 make it through the trial, then we cannot use the additional
15 jurors to deliberate because the deliberation must be by a
16 12-person jury and not 13 or 14 person. So since the first
17 12 made it, you all are through. You're relieved of any
18 further responsibility. You do not have to participate in
19 anything further. We're not selecting any more juries this
20 week either, so you are through with jury duty as well
21 You're certainly welcome to stick around if you want to
22 stick around. If you do so, I will simply suggest that you
23 not discuss what you think the verdict should be until the
24 jury actually comes out and announces.

25 Thank you all.

1 (Deliberation started at 5:21 p.m.)

2 THE COURT: I understand that we have a verdict.

3 MS WALKER: Our family is coming right now, Your
4 Honor.

5 THE COURT: All right.

6 MS. WALKER: Thank you. I'll just tell them not
7 to say anything.

8 Thank you, Your Honor.

9 THE COURT: All right. You may bring the jury in.

10 BAILIFF: Yes, Your Honor.

11 (Whereupon, the jury returned to the
12 courtroom at 6 04 p.m.)

13 BAILIFF. Your Honor, the jury is present and
14 seated

15 THE COURT: All right. Thank you very much
16 Mr. Foreman, have you reached a verdict?

17 MR. FOREMAN: Yes, we have

18 THE COURT: Is it unanimous?

19 MR. FOREMAN: Yes, they are.

20 THE COURT: You may be seated.

21 All right Madam Clerk, if the Defendant will
22 rise, you may publish the verdict.

23 THE CLERK: State of South Carolina, County of
24 Richland County in the Court of General Session, docket
25 number 2012-GS-40-2437, an indictment for burglary

1 first-degree against Greg Kentrell Isaac, the jury finds the
2 Defendant guilty, signed by the foreperson, dated October
3 2nd, 2013. On indictment number 2012-GS-40-2438, indictment
4 for attempted armed robbery, the jury finds the Defendant
5 guilty, signed by the foreperson, dated October 2nd, 2013.
6 Docket number 2012-GS-40-2435, an indictment for murder, the
7 jury finds the Defendant guilty, signed by the foreperson
8 and dated October 2nd, 2013.

9 Mr. Foreman, is this your verdict and the verdict
10 of the entire jury?

11 MR. FOREMAN: Yes, it is.

12 THE COURT. Thank you

13 Any additional polling requested?

14 MR SCHNEE Request to poll the jury, Your Honor.

15 THE COURT: All right. Madam Clerk, if you will
16 poll each juror individually.

17 THE CLERK: Thank you, Your Honor.

18 Mr. Foreman, ladies and gentlemen of the jury, I'm
19 going to call each of your numbers out and I'm going to ask
20 two questions. I need you to answer both of these
21 questions

22 No. 84, was this your verdict?

23 JUROR Yes, it was.

24 THE CLERK: Is it still your verdict?

25 JUROR. Yes, it is

1 JUROR: Yes.

2 THE CLERK: Is it still your verdict?

3 JUROR: Yes.

4 THE CLERK: No. 88, was this your verdict?

5 JUROR: Yes

6 THE CLERK: Is it still your verdict?

7 JUROR: Yes.

8 THE CLERK: No. 32, was this your verdict?

9 JUROR: Yes

10 THE CLERK: Is it still your verdict?

11 JUROR: Yes

12 THE CLERK: No. 302, was this your verdict?

13 JUROR: Yes.

14 THE CLERK: Is it still your verdict?

15 JUROR: Yes.

16 THE CLERK: No. 248, was this your verdict?

17 JUROR: Yes.

18 THE CLERK: Is it still your verdict?

19 JUROR: Yes

20 THE CLERK: The jury has been polled, Your Honor.

21 THE COURT: Thank you, Madam Clerk

22 Are there any post-trial motions?

23 MR SCHNEE: Yes, Your Honor, at this time, I

24 would renew all prior motions and objections. At this time,

25 I would ask for a new trial and a mistrial. The only other

1 argument I would add to everything I've already made is in
2 addition to my motion to recuse Your Honor Based on
3 everything that's occurred during this trial clearly showed
4 favoritism to the prosecution, against my client, against
5 myself. Specifically, the only things that might not have
6 shown on the record are the fact that you were sustaining
7 objections the State did not make. Therefore, I renew all
8 those motions

9 THE COURT: All right
10 Response by the State?

11 MS. WALKER: Yes, Your Honor. We don't have a
12 response to that.

13 THE COURT: Those motions are denied. The
14 Defendant has had a fair and impartial trial before a fair
15 and impartial jury The evidence of his guilt is
16 overwhelming and the verdict stands I think there was one
17 instance when you engaged arguments with the witness and
18 stated -- proceeded to make statements while the witness was
19 giving an answer and the State did not object. I
20 interrupted that because the flow of the trial and the
21 proper administration of a trial is not only based on
22 parties making objections, but it's the responsibility of
23 the Court to make sure -- to ensure that the rules of
24 procedure are followed by counsel and rules of professional
25 conduct are followed by counsel and that witnesses are

1 treated with an appropriate amount of respect. So that's
2 nothing new. Of course, when the prosecutor at one point in
3 time made a statement, the Defense objected based on the
4 prosecutor making a statement, an unsolicited statement and
5 I sustained that objection, so don't blame me. Mr Isaac
6 made his bed and he has to sleep it in. Don't blame me,
7 Counsel.

8 All right.

9 Ladies and gentlemen, once you have found a person
10 guilty, then it becomes my responsibility to impose a
11 sentence. You have no role in the sentencing process, but
12 my experience is that jurors who have vested time and energy
13 in hearing cases typically prefer to see it through to the
14 end and I invite you to stay. I'll proceed to sentencing at
15 this time.

16 -- from the State?

17 MS. WALKER. Your Honor, at the appropriate time,
18 I know the victim's mother wants to speak. I think
19 additional family wants to speak. Would you like to hear
20 from them now, Your Honor?

21 THE COURT: Yes.

22 ARCHIE CORBITT: Good afternoon, sir.

23 THE COURT: Good afternoon.

24 ARCHIE CORBITT: I want to thank the Court and the
25 jury for this great blessing. I asked the Lord for me to

1 that's all

2 MR SCHNEE: Judge, as you are well aware, at the
3 time, Greg was 18. This was a few months after his twin
4 brother was killed in a car accident. He was, obviously,
5 hanging around with some other people that were influencing
6 him to make some bad decisions. Tavares World, obviously,
7 being one of them, Your Honor. The guilty plea for Tavares
8 World where the State offered him reduced him charges to
9 voluntary. He also pled to separate offenses of CSV with a
10 minor second, two separate instances past that of armed
11 robbery and then two attempted burglaries, Your Honor
12 sentenced him to 30 years concurrent for everything. On my
13 advice, my client is not going to be addressing Your Honor
14 just to preserve his rights for appeal. I know he is very
15 sorry for how everything has turned out. I would ask Your
16 Honor to consider a sentence that would be, perhaps, most
17 similar to the co-defendant who has significantly more
18 charges and a significantly more violent history.

19 THE COURT: Any response by the State?

20 MS. WALKER: Yes, Your Honor. Mr. Isaac was the
21 shooter in this case. It was undisputed. He then when
22 confronted seven years later denied what he did. He then
23 blamed his dead brother. He then blamed the victim and then
24 he ultimately blamed the co-defendant. There's no evidence
25 in the record that it was anything but voluntary on his

1 basis for a lenient sentence. The offense of murder carries
2 30 years to life. The attempted armed robbery, is that 20
3 years?

4 MS. WALKER: Yes, sir.

5 THE COURT: Carries a 20-year sentence and
6 burglary first-degree carries 15 years.. Burglary
7 first-degree is --

8 MS. WALKER: Fifteen to life.

9 THE COURT: Fifteen years to life

10 MS. WALKER: On that charge alone.

11 THE COURT: The sentence of this Court for
12 attempted armed robbery is 20 years. The sentence for
13 burglary first-degree is 20 years. And the sentence for
14 murder is life. Good luck to you.

15 MR. SCHNEE. Thank you, Your Honor.

16 THE COURT: Ladies and gentlemen, it's not easy on
17 any of us to do the jobs that we have to do, but someone
18 must do it. And you all were called to do the job that you
19 were compelled to do in this case and I was called to do one
20 and I had to do it. Thank you all for your service. You're
21 not qualified to serve on jury duty for another year and two
22 additional, if you choose not to serve. There are no other
23 cases for you to hear this week, so your duty is done

24 Now, whatever happened to that food?

25 THE CLERK: It's here.

1 THE COURT: So it did show up. Okay It turns
2 out that you all have some to-go orders. We just randomly
3 ordered some things, a deli tray from Jason's deli, so it
4 will be back there for you to take with you I want to
5 thank you on behalf of the citizens of Williams -- I was
6 about to say Williamsburg County, that's my home territory,
7 Richland County for your service in this case.

8 Any other comments by the State or the Defense?

9 MS. WALKER: No, Your Honor.

10 MR. SCHNEE: No other questions, Your Honor.

11 THE COURT: Any other comments to the jury?

12 MR. SCHNEE: Oh, sorry. No.

13 MS. WALKER: We just thank them for their service,
14 Your Honor. That's it.

15 THE COURT. Ms. Walker always has a comment.
16 (Laughter.)

17 THE COURT: All right. Thank you all and you all
18 are good to go.

19 END OF PROCEEDINGS

20

21

22

23

24

25

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
OCT 11 2013
63 COURT REPORT

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Clifton B. Newman , Circuit Court Judge

Case No. 2012-GS-40-02435, 2012-GS-40-02437, 2012-GS-40-02438

State of South Carolina, Respondent.

v.

Greg K. Isaac, Appellant.

NOTICE OF APPEAL

Greg K. Isaac appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Clifton B. Newman on October 2, 2013.

2012-GS-40-02435 – Murder – Life Without Parole

2012-GS-40-02437 – Burglary 1st Degree - 20 years

2012-GS-40-02438 – Attempted Armed Robbery - 20 years

October 11, 2013



Mark Schnee
The Schnee Law Firm
1720 Main Street, Suite 202
Columbia, South Carolina 29201
(803) 771-0075
Attorney for Appellant

Other Counsel of Record:

Assistant Solicitor Kathryn Luck Campbell
Office of the Solicitor, Fifth Judicial Circuit
Richland County Judicial Center
1701 Main Street
Columbia, SC 29201

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
OCT 11 2013
SOUTH CAROLINA

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Clifton B. Newman , Circuit Court Judge

Case No. 2012-GS-40-02435, 2012-GS-40-02437, 2012-GS-40-02438

State of South Carolina, Respondent.

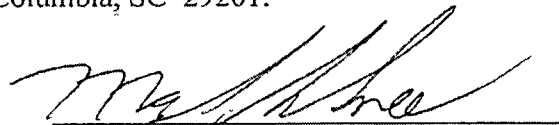
v.

Greg K. Isaac, Appellant.

PROOF OF SERVICE

I hereby certify that a true copy of the Notice of Intent to Appeal in the above-referenced case has been served upon opposing counsel by delivering same this date to her office at the Office of the Solicitor, Fifth Judicial Circuit, 1701 Main St., Columbia, SC 29201.

October 11, 2013



Mark Schnce
The Schnce Law Firm
1720 Main Street, Suite 202
Columbia, South Carolina 29201
(803) 771-0075
Attorney for Appellant

Other Counsel of Record:

Assistant Solicitor Kathryn Luck Campbell
Office of the Solicitor, Fifth Judicial Circuit
Richland County Judicial Center
1701 Main Street
Columbia, SC 29201

RICHLAND COUNTY SHERIFF'S DEPARTMENT

INTERROGATION: ADVICE OF RIGHTS

NAME: Greg Kentrell ISAAC PLACE: RCSD
 OFFICER (S): Wilson / Crane
 DATE: 04/11/12 TIME: 9:50

YOUR RIGHTS

- ☒ Before we ask you any questions, you must understand your rights.
- ☒ You have the right to remain silent.
- ☒ Anything you say can be used against you in court.
- ☒ You have the right to talk to a lawyer for advice before we ask you any questions, and to have a lawyer with you during any questioning.
- ☒ If you cannot afford a lawyer, one will be appointed for you before any questioning, if you wish.
- ☒ If you decide to answer questions now, without a lawyer present, you still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

WITNESS: Bruce L. Crane Jr. SIGNED: J. Gregory Scarce
 WITNESS: David P. Miller

WAIVER OF RIGHTS

- ☒ I have read this statement of my rights and understand what my rights are. I am willing to talk and answer questions. I understand and know what I am doing. No promises have been made to me and no pressure or coercion of any kind has been used against me.

WITNESS: Bruce L. Crane Jr. SIGNED: J. Gregory Scarce
 WITNESS: David P. Miller

9th Grade!



Statement of

Greg Kentrell Isaac
Drive
Hopkins, S.C. 29209



Made at

Columbia, South Carolina, this 11th day of April, 2012, at 9:55 hours, in the presence of David Wilson and Bev Crane of the Richland County Sheriff's Department.

I, Greg Kentrell Isaac, understand that I have the right to remain silent. Anything I say can be used against me in court. I have the right to talk to a lawyer for advice before you ask me any questions, and to have a lawyer with me during any questioning. If I cannot afford a lawyer, one will be appointed for me before any questioning, if I wish. If I decide to answer questions now, without a lawyer present, I still have the right to stop answering at any time. I also have the right to stop answering at any time until I talk to a lawyer.

Do make the following statement:

Q. Do you know the man in the picture that I showed you of Antonio Corbitt?

A. No

Q. Have you ever been inside his apartment for any reason?

A. Not that I know of. I don't think so.

Q. Now that we showed you the apartment complex do you remember going into an apartment to see that man?

A. No sir.

Q. Did you shoot Antonio Corbitt in October of 2005?

A. No.

Q. Were you present at his apartment when he was shot?

A. No

Q. Is there anything you would like to add to your statement?

A. No

I have made the foregoing statement freely and voluntarily without fear, threat, promise or reward or hope of reward of any kind.

Witness: Bev Crane

Signed: Greg Kentrell Isaac

Witness: _____

This is to certify that I have read or have read to me the foregoing statement consisting of 1 pages and a true copy has been given to me this 11th day of April, 2012.

Sworn to and subscribed before me

This 11th day of April, 2012

Signed: Greg Kentrell Isaac

David Wilson
 Notary Public for South Carolina
 My commission expires 01-13-2015



Statement of

Greg Kentrell Isaac
Drive
Hopkins, S.C. 29209

Made at

Columbia, South Carolina, this 11th day of April, 2012, at 1:30pm hours, in the presence of David Wilson and Bev Crane of the Richland County Sheriff's Department.

I, Greg Kentrell Isaac, understand that I have the right to remain silent. Anything I say can be used against me in court. I have the right to talk to a lawyer for advice before you ask me any questions, and to have a lawyer with me during any questioning. If I cannot afford a lawyer, one will be appointed for me before any questioning, if I wish. If I decide to answer questions now, without a lawyer present, I still have the right to stop answering at any time. I also have the right to stop answering at any time until I talk to a lawyer.

Do make the following statement:

Q. Tell me what happened the night that Antonio Corbitt was killed?

A. That night we went to the apartments and the man wasn't at home. It was Tavares World (Murder), Vernoris Dixon (Mook) and I. We rode around the parking lot for a few minutes. They knew his car. When we rode to the next parking lot they saw his car. We got out of the Nissan Altima that we were in and walked back to the man's apartment. Tavares and I went up to the door. Dixon stayed in the car. Tavares started beating on the door. Tavares started to kick the door but it came open. He went inside, and I stayed in the doorway. Tavares was saying where is the money? The man said something back but I couldn't understand what he said. I did hear him say "nigger fuck you, fuck you." The man started fighting Tavares. They were fighting by the door. I was telling them to chill out. They were fighting all over the furniture. At some point they fell into me and I fell into the end table that the lamp was on. I tried to catch the lamp before it fell and busted but it fell anyway. They were on the floor and the man was on top of Tavares and was beating him. I hit the man in the back and tried to pull him off of Tavares. They got up and I was trying to pull Tavares out the door. As I was trying to pull Tavares out the door, I saw the man back up and Tavares backed up. The man reached behind him to his waist. I thought he was going for a gun. When I saw that I pulled the gun that I had

I have made the foregoing statement freely and voluntarily without fear, threat, promise or reward or hope of reward of any kind.

Witness: Beverly L Crane Jr

Signed: Greg Isaac

Witness: _____

This is to certify that I have read or have read to me the foregoing statement consisting of 3 pages and a true copy has been given to me this 11th day of April, 2012.

Sworn to and subscribed before me
This 11th day of April, 2012

Signed: Greg Isaac

David Wilson
Notary Public for South Carolina
My commission expires 12-13-2013

in my waistband and shot the man. I think I shot twice. We went back to the car. Dixon was waiting and we left.

Q. What was the man wearing that night?

A. I don't remember. I don't even remember what I had on that night.

Q. Did Tavares have dreadlocks when this happened?

A. No.

Q. Do you remember how he had his hair cut?

A. He had a low haircut when this happened.

Q. What color was the car you were in that night?

A. Champagne color.

Q. Who's car was it?

A. Dixon's car. I believe it was in his wife's name. He always drove it.

Q. Do you know her name?

A. Tanesha

Q. Where did you get the gun you were carrying that night?

A. Tavares had given it to me before we went to the man's apartment. We were in the car headed to the man's apartment.

Q. Do you know what type of gun it was that you shot the man with?

A. It was a .380 Cal. It was black.

Q. Why were you three going to the man's apartment?

A. Tavares wanted to confront the man over a drug deal gone bad saying the man was playing him on his money.

Q. What happened to the gun when you left the apartment?

A. Tavares made me give it back to him. I don't know what he did with it after that.

Q. Did you ever see the gun again?

A. No sir.

Q. How do you know it was a 380?

A. Tavares told me it was. He always had it on him. He had pulled the same gun on me before this. It was a month or two before this incident happened. We got into an argument and he pulled the gun on me.

Q. What did the three of you talk about before the shooting?

A. Tavares was just mad because the man had ripped him off. Tavares had a 9mm on him also.

Q. What did you talk about after the shooting?

I have made the foregoing statement freely and voluntarily without fear, threat, promise or reward or hope of reward of any kind.

Witness:

Severly L. Cane

Signed:

Drug Lord

Witness: _____

This is to certify that I have read or have read to me the foregoing statement consisting of 2 pages and a true copy has been given to me this 11th day of April, 2012.

Sworn to and subscribed before me

This 11th day of April, 2012

Signed:

Drug Lord

David L. Hahn

Notary Public for South Carolina

My commission expires 01-15-2013

A. We argued in the car after we left. I asked him why he just didn't come out when I tried to get him to leave. I got quiet. He kept asking me if I was alright. He threatened to kill me or some one close to me if I ever talked about the shooting.

Q. Did you ever tell anyone about this shooting?

A. No one. I was afraid of Tavares.

Q. Do you know if Tavares or Dixon ever told anyone?

A. No, I don't know.

Q. What is the relation between Dixon and Earl Cooper?

A. Brother in laws. Cooper married Dixon's sister.

Q. Was anyone wearing a bandana over their face the night of the shooting?

A. No

Q. Did anyone know the man's son was upstairs that night?

A. No sir.

Q. Did anyone have a grill in their mouth that night?

A. Tavares did. His are permanent and are on the top. Dixon's are on his bottom teeth.

Q. Did you and Tavares talk about the shooting in front of or with Dixon in the car after the shooting?

A. Yes he knew I shot the man.

Q. Is there anything else you want to add to this statement?

A. I want to tell his mother and son that I am sorry. I felt threatened and acted that night. I hope they can find it in their heart to forgive me.

I have made the foregoing statement freely and voluntarily without fear, threat, promise or reward or hope of reward of any kind.

Witness: Beverly L. Crain

Signed: [Signature]

Witness: _____

This is to certify that I have read or have read to me the foregoing statement consisting of 3 pages and a true copy has been given to me this 11th day of April, 2012.

Sworn to and subscribed before me
This 11th day of April, 2012

Signed: [Signature]

[Signature]
Notary Public for South Carolina
My commission expires 1-13-2013

WITNESSES

(S) David Wilson – Richland County
Sheriff

Cran-e

ARREST WARRANT NUMBER

J634174

ACTION OF GRAND JURY

TRUE BILL

Margaret A. Dickinson
Foreperson of Grand Jury

Date: MAY 10 2012

VERDICT

GUILTY

Michael Bayun
Foreperson of Petit Jury

Date: Oct 2, 2012

DOCKET NO. 2012GS4002435

The State of South Carolina

County of

Richland

42

COURT OF GENERAL SESSIONS

MAY TERM 2012

**THE STATE
vs.**

Greg Kentrell Isaac

**Indictment for
MURDER**

SC Code: 16-03-0010
CDR Code: 0116

After being fully advised as to my
legal rights, I hereby waive presentment
to the Grand Jury.

Defendant

I
hereby appear in my own proper person and plead
guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

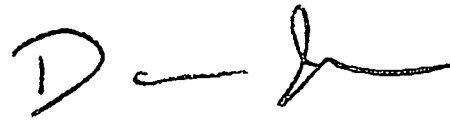
INDICTMENT

At a Court of General Sessions, convened on MAY 9, 2012, the
Grand Jurors of Richland County present upon their oath:

MURDER

That Greg Kentrell Isaac did in Richland County, on or about October 27,
2005, willfully, feloniously, and intentionally kill the victim, Antonio Corbitt,
with malice aforethought, either express or implied, by means of gunshot
wound, and the victim did die as a proximate result thereof, in Richland
County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as
amended.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.



DAN JOHNSON, SOLICITOR

WITNESSES

(S) David Wilson – Richland County
Sheriff

Crane

ARREST WARRANT NUMBER

J634176

ACTION OF GRAND JURY

TRUE BILL

Margaret K. Dickinson
Foreperson of Grand Jury

Date:

MAY 10 2012

VERDICT

GUILTY

MICHAEL GALVIA
Foreperson of Petit Jury

Date:

MAY 21, 2013

DOCKET NO. 2012GS4002437

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

MAY TERM 2012

THE STATE

vs.

Greg Kentrell Isaac

**Indictment for
BURGLARY 1ST DEGREE**

SC Code: 16-11-0311

CDR Code: 0079

After being fully advised as to my
legal rights, I hereby waive presentment
to the Grand Jury.

Defendant

I
hereby appear in my own proper person and plead
guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

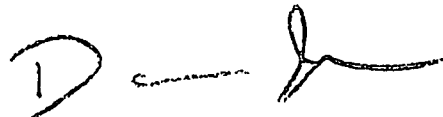
INDICTMENT

At a Court of General Sessions, convened on MAY 9, 2012, the
Grand Jurors of Richland County present upon their oath:

BURGLARY, 1ST DEGREE

That Greg Kentrell Isaac did in Richland County on or about October 27, 2005, enter the dwelling of Antonio Corbitt, without consent and with the intent to commit a crime therein and while effecting entry or while in the dwelling or in immediate flight therefrom, the defendant was armed with a deadly weapon, and/or used or threaten the use of a dangerous instrument, and/or displayed a knife and/or firearm or caused physical injury to a non-participant of the crime in violation of Section 16-11-0311(A), Code of Laws of South Carolina, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



DAN JOHNSON, SOLICITOR

WITNESSES

(S) David Wilson – Richland County
Sheriff

Crape

ARREST WARRANT NUMBER

J634177

ACTION OF GRAND JURY

TRUE BILL

Margaret R. Dickinson
Foreperson of Grand Jury
Date

MAY 10 2012

VERDICT

GUILTY

MICHAEL CARLIA
Foreperson of Petit Jury
Date

OCT 2, 2013

DOCKET NO. 2012GS4002438

The State of South Carolina

County of

Richland

42

COURT OF GENERAL SESSIONS

MAY TERM 2012

**THE STATE
vs.**

Greg Kentrell Isaac

**Indictment for
ATTEMPTED ARMED ROBBERY**

**SC Code: 16-11-0330(B)
CDR Code: 0026**

After being fully advised as to my
legal rights, I hereby waive presentment
to the Grand Jury.

Defendant

I
hereby appear in my own proper person and plead
guilty to the within indictment or to

Defendant

Witness:

C.C.C PLS AND G.S.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on MAY 9, 2012, the
Grand Jurors of Richland County present upon their oath:

ATTEMPTED ARMED ROBBERY

That Greg Kentrell Isaac did, along with co-defendants in Richland County on or about October 27, 2005, attempt to commit robbery by feloniously attempting to take from the person or presence of Antonio Corbitt by means of force or intimidation goods or monies of Antonio Corbitt, with the intent to deprive the owner permanently of such property, while armed with a pistol, dirk, slingshot, metal knuckles, razor, or deadly weapon, or any object which a person present during the commission of the robbery reasonably believed to be a deadly weapon, in violation of Section 16-11-0330(B), S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

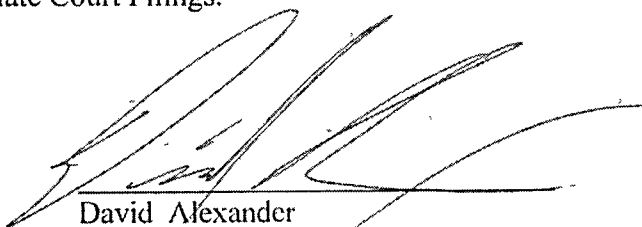


DAN JOHNSON, SOLICITOR

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 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."

December 5th, 2014



David Alexander
Appellate Defender

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

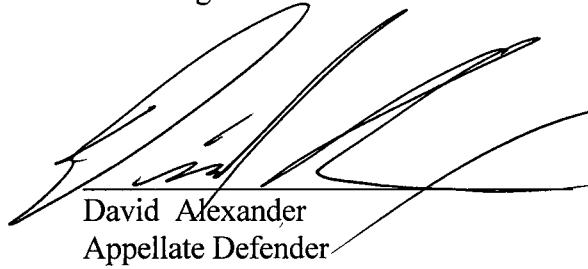
ATTORNEY FOR APPELLANT

RECEIVED
DEC 05 2014
SC Court of Appeals

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 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."

December 5th, 2014



David Alexander
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
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ATTORNEY FOR APPELLANT

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SC Court of Appeals