

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

Appeal from Horry County of General Sessions
The Honorable Steven H. John, Circuit Court Judge

Sep 04 2020

SC Court of Appeals

Appellate Case No.: 2018-000824

Nicholas McIver

Appellant,

v.

The State of South Carolina,

Respondent.

SUPPLEMENTAL RECORD ON APPEAL

Appellant, Nicholas McIver, by and through undersigned counsel, William G. Yarborough

III, respectfully submits State's Exhibits as listed below:

State's Exhibit 1 photo;
State's Exhibit 2 photo;
State's Exhibit 3 photo;
State's Exhibit 6 stipulation;
State's Exhibit 9 photo;
State's Exhibit 10 photo;
State's Exhibit 11 photo;
State's Exhibit 12 photo;
State's Exhibit 13 photo;
State's Exhibit 41 photo; and
States Exhibit 60 photo.
Trial Transcript of Record pages 273, 274, and 462

WHEREFORE, Appellant, Nicholas McIver, by and through undersigned counsel,
William G. Yarborough III, respectfully submits State's Exhibits to supplement the Record on
Appeal.

Respectfully submitted by:



William G. Warborough, III (SC Bar 69847)

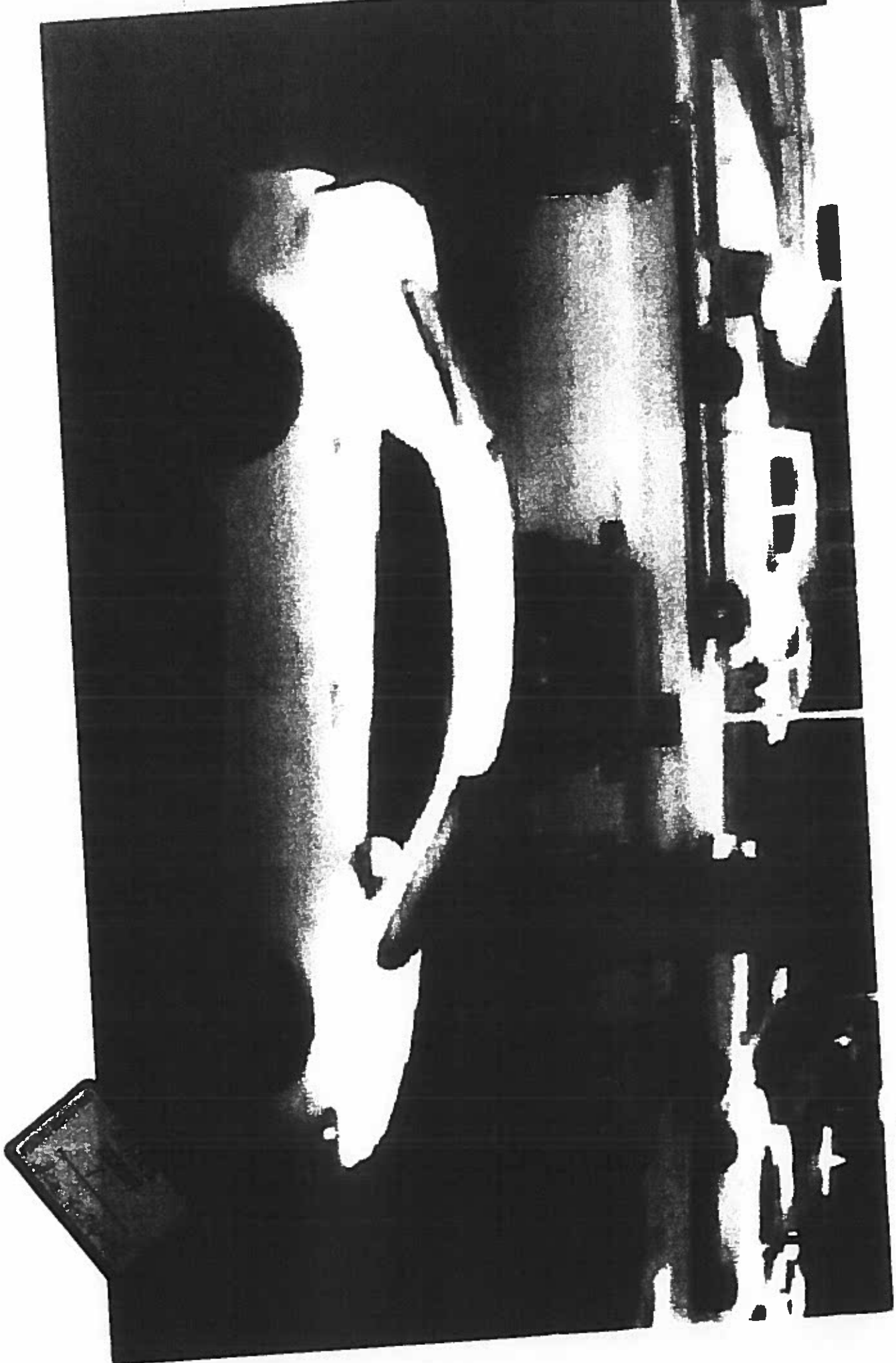
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Greenville, SC 29609

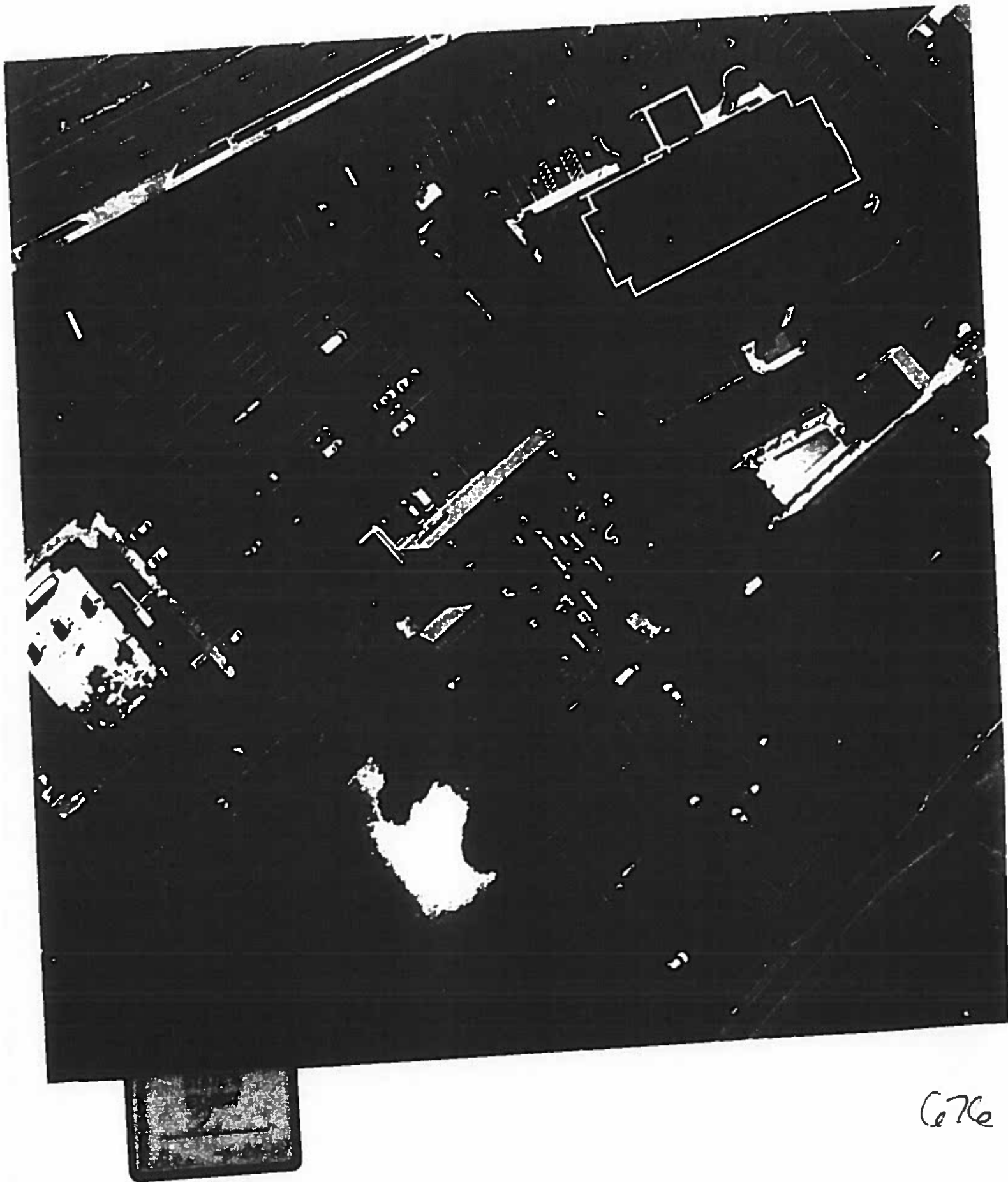
(864) 331-1612

Attorney for Petitioner

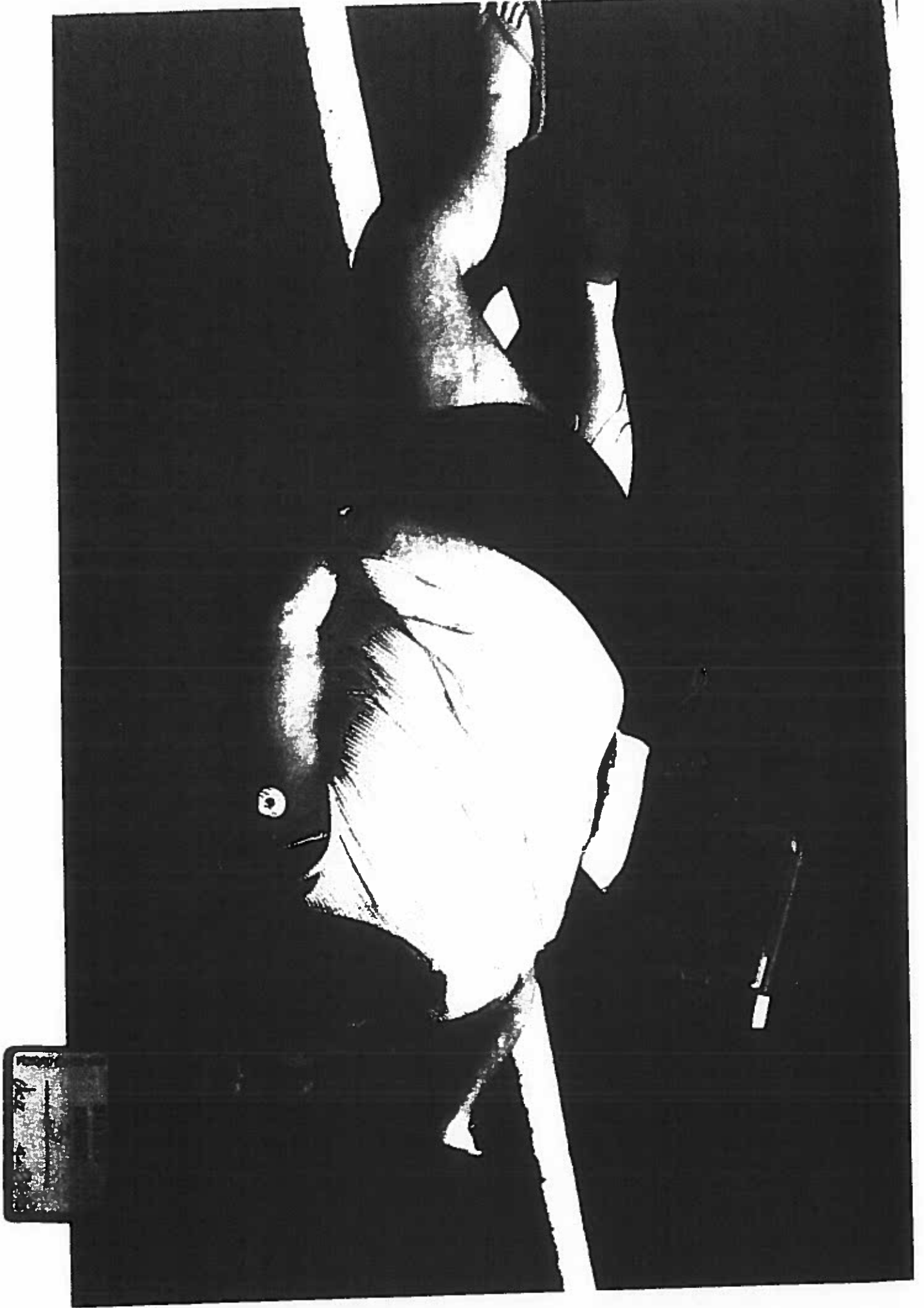
Greenville, South Carolina
September 4, 2020



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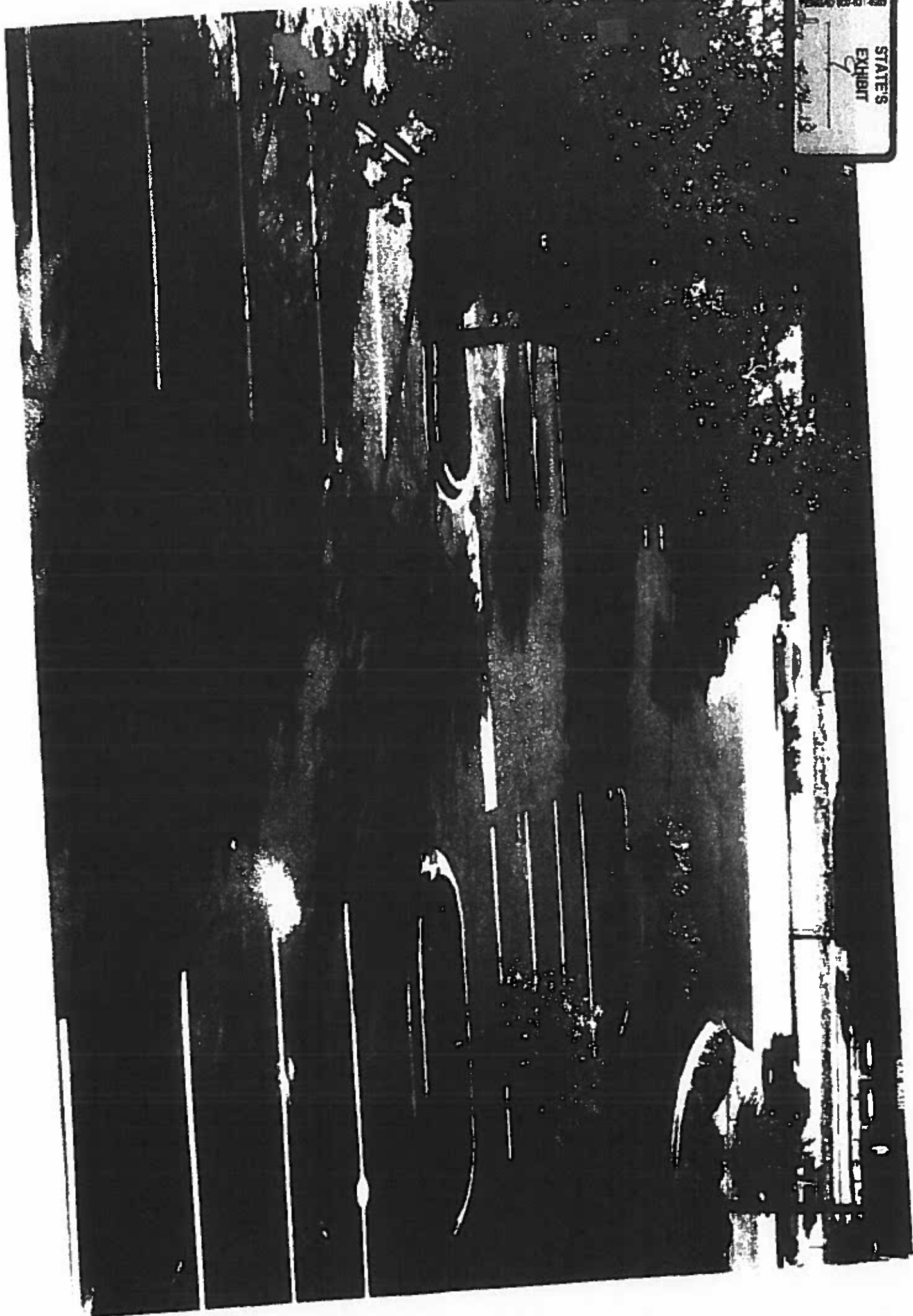
627

Terrell Freeman Phone Number

(980) 298-1931



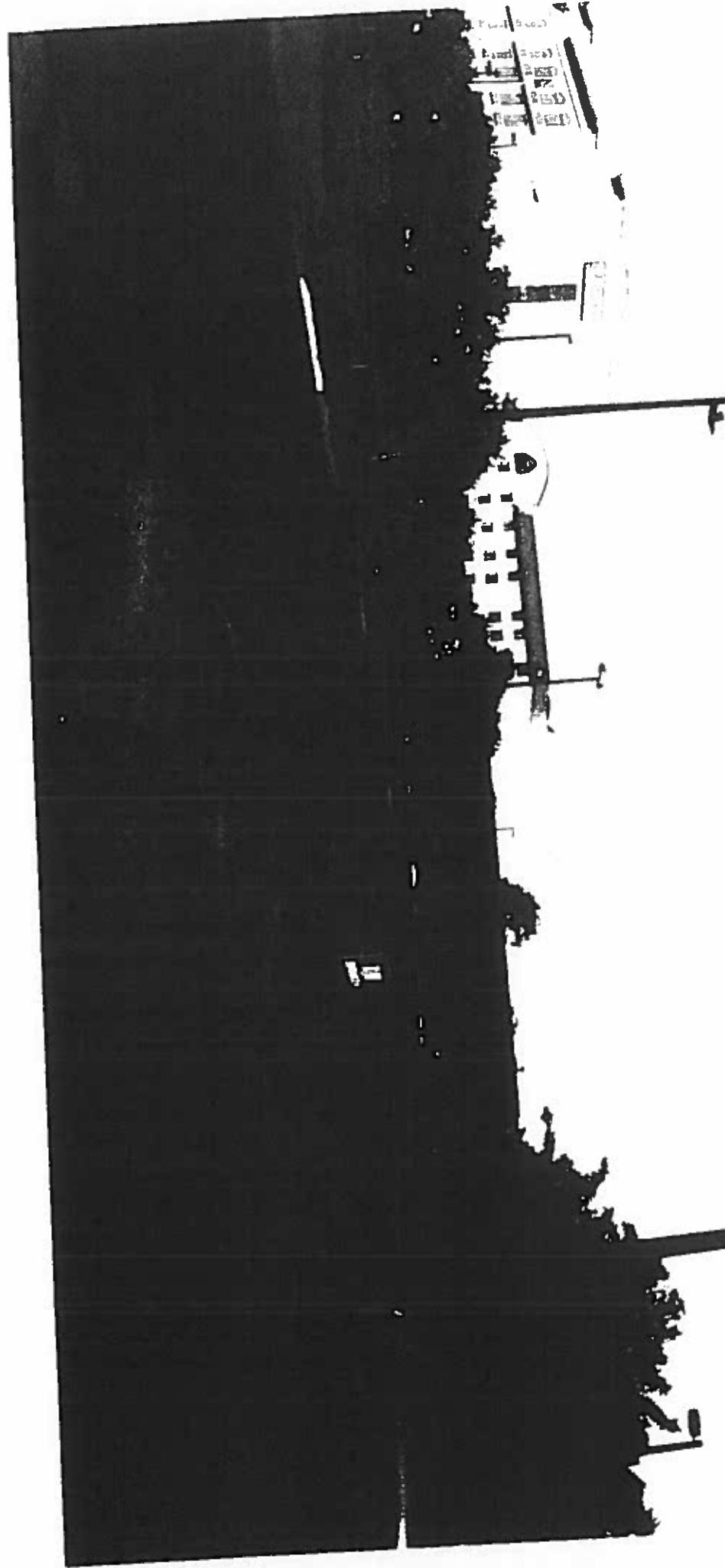
STATE'S
EXHIBIT
9



67

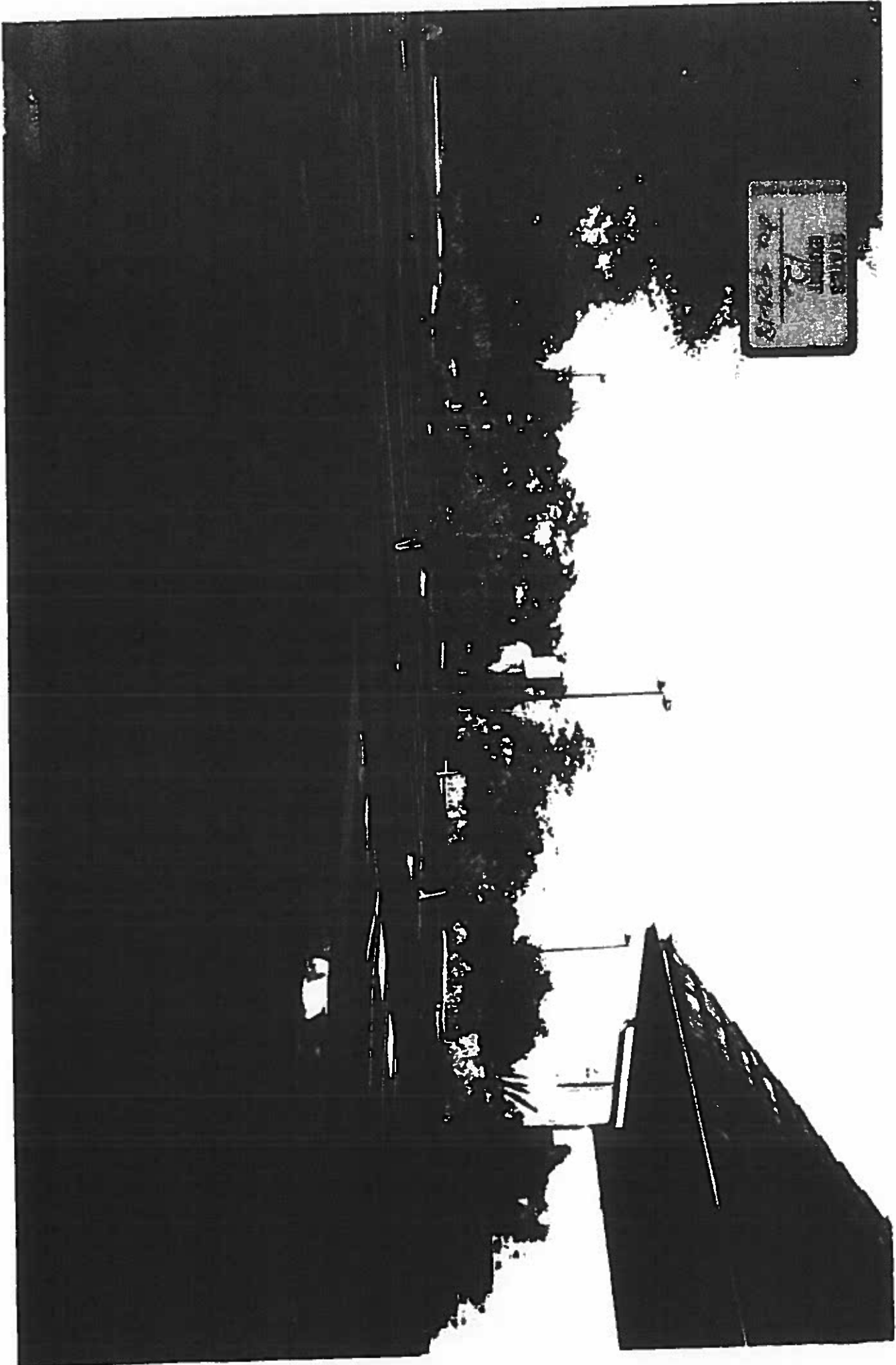
STATE'S
EXHIBIT
10
10-1-78

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85-427
4-24-18

681



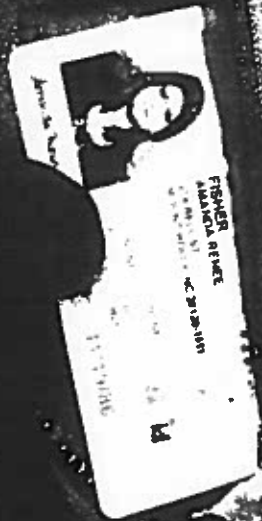
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STATE'S
EXHIBIT
13

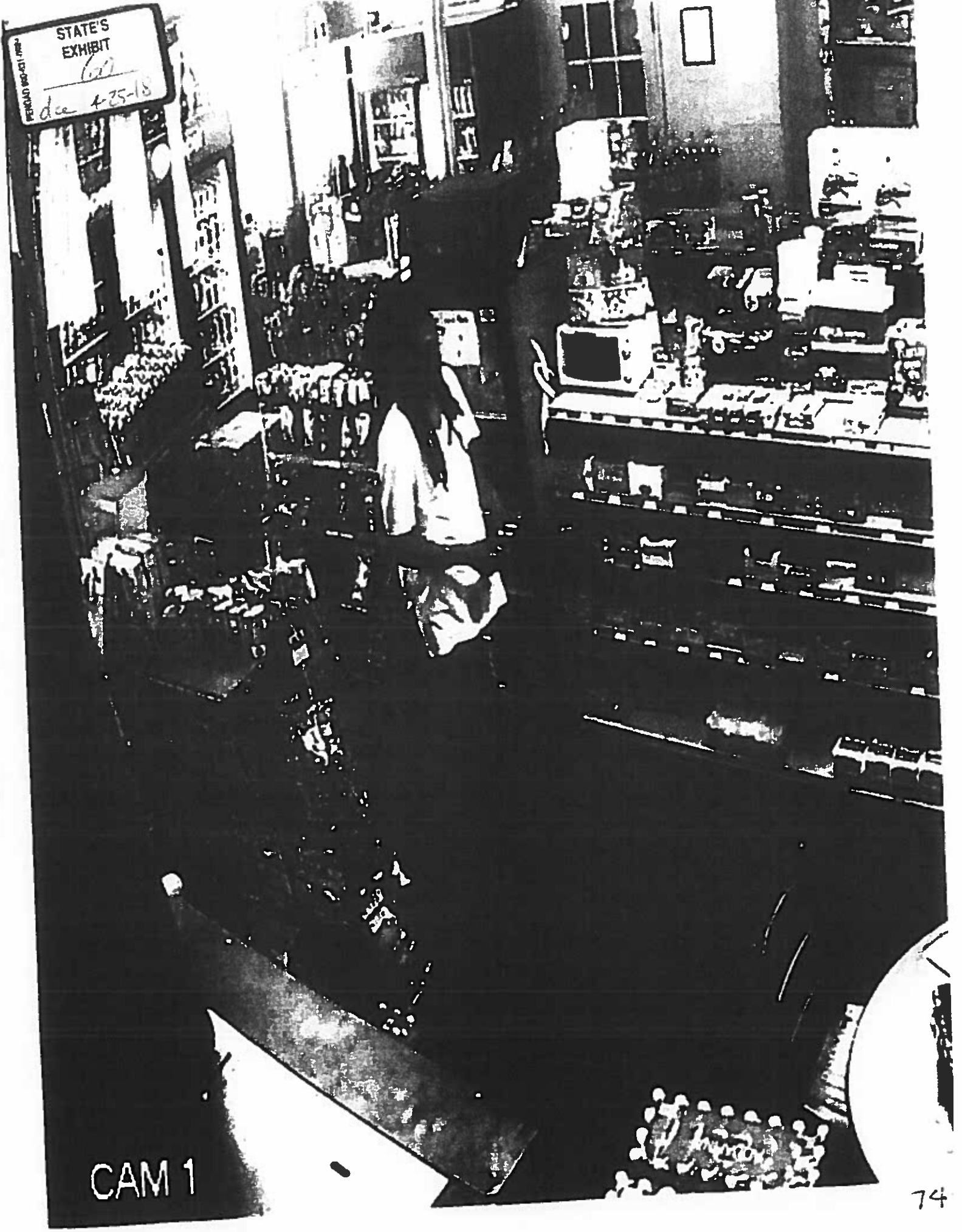
Dec 424-18

1001

68



STATE'S EXHIBIT
611
Dec 4-75-18



CAM 1

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS

COUNTY OF HORRY)

STATE OF SOUTH CAROLINA,)

TRANSCRIPT OF RECORD

April 23-27, 2018

Plaintiff,)

vs.)

NICHOLAS JACOB MCIVER,)

2016-GS-26-05556, 05557, 05558

Defendant.)

STATE OF SOUTH CAROLINA,)

Plaintiff,)

vs.)

TERRELL FREEMAN,)

2017-GS-26-02606, 02607, 02609

Defendant.)

B E F O R E:

Honorable Steven H. John
Horry County Courthouse
Conway, South Carolina

1 for me please so everybody can hear you?

2 A: Good morning.

3 Q: All right. You doing okay this morning?

4 A: Yes.

5 Q: How old are, Ms. Shaniah?

6 A: Nine.

7 Q: What city are you from?

8 A: Charlotte.

9 Q: Okay. Have you lived in Charlotte your whole life?

10 A: Yes.

11 Q: Have you ever been in a courtroom before?

12 A: No.

13 Q: Do you know -- do you know what a lie is?

14 A: Yes.

15 Q: Do you know what the truth is?

16 A: Uh-huh, (affirmative response).

17 Q: Will you please tell this Court what a lie is?

18 A: Like when you don't tell the truth to somebody.

19 Q: So, is that like, if you were to have a dream, is a dream
20 real?

21 A: No.

22 Q: Because it's a dream, right? And so, and then a lie,
23 what's a lie? Obviously, you said it's not the truth but is
24 it -- is it a bad thing to tell a lie?

25 A: Yes.

1 Q: Can you tell the truth? Do you remember or do know where
2 a place in Charlotte called Sally Lane is?

3 A: Yes.

4 Q: How do you know where Sally Lane is?

5 A: Because I lived there since I was born.

6 Q: That's a long time. And when you lived at Sally Lane,
7 were you ever able to play outside or hang outside?

8 A: Yes.

9 Q: Okay. Let me make you think back a little bit. Do you
10 ever remember seeing a car on fire on Sally Lane?

11 A: Yes.

12 Q: Do you remember what kind of car that was?

13 A: White, a white car.

14 Q: Did you see it before it became on fire?

15 A: Yes.

16 Q: Did you see any people around that car?

17 A: Yes.

18 Q: Okay. What did the person look like who was outside the
19 car?

20 A: He was light-skinned with dreads

21 Q: Was anybody else with him?

22 A: Yes.

23 Q: Did you see one -- did you see him or that other person
24 or him light the car on fire?

25 A: That other person was in the car.

1 has indicated that's probably voice mail or either a missed
2 call, correct?

3 A: Correct.

4 Q: But there are calls to other people on there, somebody by
5 the name of Heath; is that correct?

6 A: Heath?

7 Q: H-E-A-T-H?

8 A: Yes, sir, I see one, two, three, four, five, just on this
9 page.

10 Q: Just on that page?

11 A: Yes, sir.

12 Q: And that would've been around the time this event
13 occurred or after, correct?

14 A: Yes, that's correct.

15 Q: And have you talked to Heath to determine what may or may
16 not have been said by Mr. McIver?

17 A: No, sir.

18 Q: Okay. There's a -- and on this page, and I'm gonna let
19 you look at, on 4:17 and 4:16, there are calls and this would
20 be at the top and it's not highlighted, to Floyd's; is that
21 correct, three separate calls?

22 A: Yes, sir.

23 Q: And did you reach out to anybody there?

24 A: No, sir.

25 Q: Okay. Now, looking forward from approximately 4:52 to

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I, the undersigned, Kay H. Richardson, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the hearing held in the case of State of South Carolina v. Nicholas Jacob McIver and State of South Carolina v. Terrell Freeman, held in the Court of General Sessions for Horry County, Horry County Courthouse, Conway, South Carolina, on April 23-27, 2018 as reported by Dixie C. Eubank.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.

Kay H. Richardson
Official Court Reporter

July 24, 2018.