

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY
COURT OF COMMON PLEAS
HON. ALISON R. LEE, CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2020-000741

BILLY WAYNE MCINTOSH

APPELLATE

V

STATE OF SOUTH CAROLINA

RESPONDENT

RECORD ON APPEAL

DATE: 12/10/20

B. McIntosh

BILLY MCINTOSH

990 WISACKY HWY

BISHOPEVILLE, SC 29010

PRO SE

CC: HARLEY L. KIRKLAND, ESQUIRE

WESLEY A. VORBERGER, ESQUIRE

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I CERTIFY THE RECORD ON APPEAL CONTAINS NO MATTER OTHER THAN LISTED EXHIBITS
AND CONSTITUTES THE COURT'S ORDER AND ALL EXHIBITS.

B. McIntosh
BILLY MCINTOSH
990 WISACKY HWY
BISHOPEVILLE, SC 29010
PRO SE

FILED

SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
LEXINGTON) ELEVENTH JUDICIAL CIRCUIT
2020 APR -7 PM 2:53

Wayne McIntosh, #8774)
Plaintiff,) Case No.: 2018-CP-32-02764
LISA M. COMER)
CLERK OF COURT)
LEXINGTON SC)

v.

State of South Carolina,

Defendant:

**ORDER
(NON-JURY)**

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APR 30 2020

SC Court of Appeals

A TRUE COPY
Lex. Co. C.C.P., G.S. & F.C.

Billy Wayne McIntosh ("Plaintiff") filed a Declaratory Judgment action to determine whether his 1977 kidnapping conviction requires him to register as a sex offender. A bench trial was held on July 31, 2019. Plaintiff represented himself *pro se*. Harley Kirkland, Esq. and Wesley Vorberger, Esq. represented the State of South Carolina ("the State").

BACKGROUND

In 1977, Plaintiff was convicted of the kidnapping and murder of Joyce Marie Heinig ("Victim"). Plaintiff stated in his Declaratory Judgment that subsequent to his date of conviction, the South Carolina Department of Probation, Parole, and Pardon Services ("SCDPPS") classified his kidnapping conviction as a sex offense. Plaintiff alleges because his kidnapping conviction is considered a sex offense, he is subject to a more onerous parole process based on SCDPPS's parole evaluation risk assessment tool. Plaintiff contends that the risk assessment tool assigns a higher degree of risk to sex offenses and sex offenders which subjects him to a sentence enhancement without due process of law.

Plaintiff argues that his 1977 kidnapping conviction did not include a criminal sexual offense and petitions the Court to decide whether the kidnapping conviction included a criminal sexual offense or an attempt to commit a criminal sexual offense based on the evidence and witnesses presented at trial.

SUMMARY OF EVIDENCE

Plaintiff was the only witness who testified at the hearing.

Plaintiff testified that he was convicted of murder and kidnapping in 1977. The victim's body was recovered nude near Highway 240 in Lexington County; however, the crime occurred in Aiken County. He confessed to the crimes in Aiken County with an understanding he would

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receive fifteen to thirty years in prison if he plead guilty. His confession is contained in State's Exhibit 1. Plaintiff stated repeatedly that he was under the influence of alcohol and narcotic pain medicine at the time of the kidnapping and murder.¹ He remembers kidnapping and killing the victim. He shot her in the head, forehead, and cheek. The gun belonged to the co-defendant, Eugene Allen Kneece ("Kneece").

Plaintiff did not recall what the victim was wearing; however, he removed her clothing and jewelry while in the woods after she was dead to prevent identification of the body. He chose to leave her body in a wooded area because it was an isolated area, too close to the road for hunters to find, but also unlikely that someone would be in the area. He was sober when he removed the victim's clothing. The clothing was burned along with the victim's car.

According to Plaintiff, Kneece was questioned by authorities and told them he was with Plaintiff at the time of the crimes. Kneece informed the police that Plaintiff told him the victim was pregnant. Plaintiff denied knowing she was pregnant or having any conversation with the victim about being pregnant. He states Kneece was present when he took off the victim's clothes. Kneece stated in his interview with law enforcement, that he thought Plaintiff was going to rape the victim. *See State's Ex. 6.* At the criminal trial, Kneece's testimony "fell apart during cross-examination" and Plaintiff was convicted under "hand of one, hand of all." +

Plaintiff maintains that he did not rape and did not molest the victim or commit any sexual offense on the victim or her body after she was dead. The autopsy revealed that the victim's body was partially decomposed most likely eaten by animals. Based on the condition of the body, there was no conclusive evidence on whether the victim was sexually assaulted.

Plaintiff disagreed with the State's characterization that because the body was found nude, he should have to register as a sex offender without any further evidence. Plaintiff testified he is unable to file a Freedom of Information Act request as an inmate and the interview with Sheriff Metts was the only allusion to a sex offense.² Plaintiff contends that at his criminal trial there was no testimony by officers to support a finding that he committed a sex offense on the victim.³

¹ Plaintiff testified that prior to the criminal trial, he was willing to be hypnotized to sort out his memory; however, his attorney filed a motion to prevent the hypnosis.

² Plaintiff did not elaborate on the details of the interview with Lexington County Sheriff Metts. There were no documents presented at the hearing that discussed any interview between Plaintiff and Sheriff Metts.

³ None of the testimony from the trial has been offered as evidence.

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The Lexington County deputies believed the murder took place in Lexington County because Plaintiff said he reloaded the gun at the spot where the body was found. Detective Byars ("Byars") had no contact with Plaintiff other than what Aiken County Sheriff's told Byars. Officer Baggett's report contained information relayed to him by Byars. Plaintiff argues both reports are hearsay.

Plaintiff asserts it is unfair for him to register as a sex offender based on speculation made by the State. He contends the only evidence the State has is his fabricated confession and Kneece's testimony. Plaintiff admitted that he previously fabricated his testimony in court when he was indicted for housebreaking and robbery of his neighbors after hearing they received a tax refund. Pl. Ex. 1. Plaintiff was also accused of rape by a female acquaintance as outlined in State's Ex. 4. There is no evidence of any convictions related to these incidents.

At the conclusion of Plaintiff's testimony, he consented to admitting the exhibits of all newspaper articles, despite his previous objections.⁴

EXHIBITS

- Plaintiff's Exhibit 1 – Billy McIntosh's Indictment for Housebreaking (separate incident involving Peggy Truitt)
- Plaintiff's Exhibit 2 – Billy McIntosh's Indictment for Aggravated Assault and Battery (separate incident involving Peggy Truitt)
- State's Exhibit 1 – Billy McIntosh's Statement to Aiken County Sheriff's Department
- State's Exhibit 2 – Aiken County Supplemental Report (Joyce Heinig's investigation)
- State's Exhibit 3 – Lexington County Sheriff's Department Incident Report for Joyce Heinig
- State's Exhibit 4 – SLED Incident Report (a separate incident involving Peggy Truitt)
- State's Exhibit 5 – Report containing allegations of Billy McIntosh abducting an unnamed female
- State's Exhibit 6 – Eugene Allen Kneece Statement to Aiken County Sheriff's Department
- State's Exhibit 7 – Aiken County Investigation Report with Joyce Heinig's Fiancé Gary Mullis
- State's Exhibit 8 – Joyce Heinig Autopsy Report
- State's Exhibit 9 – *Aiken Standard*, April 6, 1977, Article: "Body Is Identified as Miss Heinig's"
- State's Exhibit 10 – *Aiken Standard*, April 7, 1977, Article: "Murder Charges Added"
- State's Exhibit 11 – *Aiken Standard*, September 14, 1977, Article: "McIntosh Sentenced In Heinig Murder"
- State's Exhibit 12 – *The State*, September 13, 1977, Article: "Detective Says Man Confessed Killing"
- State's Exhibit 13 – *The State*, September 14, 1977, Article: "McIntosh Convicted of Murder"
- State's Exhibit 14 – *Aiken Standard*, April 6, 1977, Article: "Body Is Identified as Miss Heinig's"
- State's Exhibit 15 – *The Index-Journal*, April 7, 1977, Article: "Two Aiken Men Charged with Heinig's Murder"

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⁴ Exhibits nine through twenty-three repeat allegations contained in the investigative reports.

State's Exhibit 16 – *Aiken Standard*, September 13, 1977, Article: "Edwards: McIntosh Called To Confess To Murder"

State's Exhibit 17 – Article: "McIntosh Sentenced In An Assault Case"

State's Exhibit 18 – *Aiken Standard*, September 14, 1977, Article: "McIntosh Sentenced"

State's Exhibit 19 – *The Index-Journal*, April 7, 1977, Article: "Two Aiken Men Charged With Heinig's Murder"

State's Exhibit 20 – *The Index Journal*, September 14, 1977, Article: "Aiken Man Gets Life Sentences"

State's Exhibit 21 – *The Index Journal*, April 6, 1977, Article: "Body Found In Wooded Area In Lexington"

State's Exhibit 22 – *Aiken Standard*, September 16, 1977, Article: "Kneece Given 18-Year Sentence"

State's Exhibit 23 – *Aiken Standard*, April 5, 1977, Article: "Tip Leads Police To Body; May Be That Of Miss Heinig"

FINDING OF FACT

Based upon the testimony and the exhibits presented, this Court makes the following findings of fact:

On February 25, 1977, the Victim's fiancé, Gary Mullis ("Mullis"), reported the Victim missing to the Richmond County Sheriff's Department in Augusta, Georgia. State's Ex. 7. Two days later, the Victim's car was found in Aiken, South Carolina. State's Ex. 2. After the Aiken County Sheriff's office received a report that a burned vehicle was found in a wooded area, Detective Matlock of the Aiken County Sheriff's Department went to the scene. *Id.* The vehicle matched the description of the vehicle stated in the missing person's report from the Richmond County Sheriff's Department. State's Ex. 7. Mullis told detectives he last saw the Victim two days earlier after she took him home from her trailer. *Id.* Mullis explained that the Victim had been using his car for the past six months. *Id.* He told detectives that the victim was pregnant and they planned to get married soon. *Id.* Cindy Joyner ("Joyner"), Mullis's sister, who lived in the same trailer park as the Victim told detectives that she last saw the Victim two nights prior to her disappearance around 9:30 p.m. *Id.* She also knew the Victim was pregnant and was excited to get married. *Id.*

Approximately one month later, Plaintiff and Kneece abducted Peggy Truitt from her residence and drove her around all day. State's Ex. 4. They carried Truitt into some woods where Plaintiff beat Truitt with his fists breaking her jaw. *Id.* According to a statement Truitt gave to Aiken County detectives, Plaintiff raped her and told her that he was going to kill her. *Id.*

Sometime after this incident, Plaintiff abducted another unnamed female. Plaintiff drove her around for a few hours before meeting up with Kneece in a shopping center. State's Ex. 5. Plaintiff spoke with Kneece and then drove off. Id. Plaintiff told the unnamed female that he was going to take her to see a lot of lights in Georgia. Id. He told her that he would only be charged with abduction because if he took her across state lines, he could be charged with kidnapping. Id. After returning to Aiken, they ran out of gas. Id. Before walking to the Hess gas station, Plaintiff left his gun on the post of a fence, until after they returned to the vehicle. Id. Plaintiff asked her if she wanted to see some dead bodies. Id. The female told him no. Id. He pointed his finger towards a nearby hill and told the female that the bodies were on the hill. Id. They left the rest area and Plaintiff drove her to Columbia. Id. They drove around Columbia making various stops. Id. On the third trip to Aiken, Plaintiff took her to a location claiming his mother lived there. He got out of the car and left her. Id.

Plaintiff and Kneece were arrested sometime after the two incidents. Both were held at the Aiken County jail. On April 4, 1977, Plaintiff was lying in bed at the jail when he realized what he had done. State's Ex. 1. He asked the "turnkey" to call law enforcement so he could tell them where to find the Victim's body. Id. Law enforcement agreed and Plaintiff lead them to where the Victim's body was located. Id. The Victim's body was found in a wooded area off Highway 240 near I-20 in Aiken County. State's Ex. 2. Law enforcement observed a badly decomposed body stripped of all clothing, lying on the ground. State's Ex. 1.

That same day, Byars interviewed Plaintiff about the disappearance of the Victim. State's Ex. 3. Plaintiff told Byars that he jumped into the Victim's car brandishing a pistol. Id. She was hysterical so he slapped her. Id. He made her stop the car and jerked her from behind the wheel. Id. He put her inside the trunk and shot her three times. Id. Plaintiff was in Aiken County when he removed her clothes. Id. He told Byars that he left the body near Highway 204 in Aiken County. Id. Law enforcement located the .22 caliber pistol that Plaintiff sold after he killed the Victim. Id.

The next day, Sheriff Paul Grant ("Grant") with the Aiken County Sheriff's Department, interviewed Plaintiff regarding the disappearance of the Victim. Plaintiff told Grant that he saw the Victim about to turn out of the parking lot of a filling station. State's Ex. 1. He held her by gunpoint, jumped in her car, and commanded her to drive off. Id. The Victim started screaming so he stopped the car and threw her in the trunk. Id. He shoot her once in the back of the head,

once in the forehead; and once in the center of the cheek. *Id.* He took off all her clothes and jewelry after he shot and killed her. *Id.*

Next, Grant interviewed McIntosh's accomplice, Kneece. Kneece explained that they were on their way back to Aiken when Plaintiff saw the Victim about to turn out a filling station. State's Ex. 6. Plaintiff bumped the Victim's car with his car. *Id.* The Victim got out of her car and walked towards the back of her car where Plaintiff bumped it. *Id.* Plaintiff got out of his car and pulled a gun on her telling her to "get over" and she did. *Id.* Plaintiff climbed in and drove off. *Id.* Kneece followed behind them to Plaintiff mother's house to drop off her car. *Id.* Once there, Plaintiff told Kneece that the Victim was pregnant and Kneece told him to let her go. *Id.* Plaintiff replied that it did not matter to him that she was pregnant. *Id.* The two of them got back into the car with the Victim and proceeded to I-20. *Id.* Plaintiff veered off onto a dirt road that went up a hill and into a wooded area. *Id.* Plaintiff and the Victim got out of the car and walked down into the woods. *Id.* They were down there for a while when Kneece heard three gunshots. Plaintiff came back with the Victim's clothes in his hands. *Id.*

Later that evening, Plaintiff got in the car of another girl driving a Volkswagen. State's Ex. 6. After they left, Kneece waited for them to return, but Plaintiff never came back. *Id.* Kneece drove the Victim's car to Aiken and hid it in some woods behind a high school. *Id.* The next day, Plaintiff came over to Kneece's house and told him that he wanted to get the car. *Id.* Kneece went with Plaintiff to get the car. Plaintiff took the wheels off the car and set the car on fire. *Id.*

During the interview, Kneece told Sheriff Grant that the Victim was driving a blue Lemans. State's Ex. 6. Kneece could not recall the Victim's name, but described her as being tall with blond hair. *Id.* He also described the clothes she was wearing. *Id.* Kneece knew that the Victim was shot with a chrome plated .22 caliber with a pearl handle. *Id.*

The findings of the Victim's autopsy report includes marked decomposition of her body, two gunshot wounds to the head, and probable congenital hypoplasia of the right kidney. State's Ex. 8. The victim was five feet, six inches in length and had long blonde hair. *Id.* The face was mummified with hard yellowish brown skin. *Id.* The genitalia were not present, but the pubic hair was in place. The buttocks were not present. *Id.*

CONCLUSIONS OF LAW

Plaintiff brought this action pursuant to South Carolina's Uniform Declaratory Judgment Act ("the Declaratory Judgment Act"), which grants the court "power to declare rights, status, and

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other legal relations whether or not further relief is or could be claimed." S.C. Code Ann. § 15-53-20. "To state a cause of action under the Declaratory Judgment Act, a party must demonstrate a justiciable controversy." *Thompson v. State*, 415 S.C. 560, 565, 785 S.E.2d 189, 191 (2016). A justiciable controversy is a "real and substantial controversy which is appropriate for judicial determination, as distinguished from a dispute or difference of a contingent, hypothetical, or abstract character." *Id.* The Court should liberally construe and administer the Declaratory Judgment Act. *Id.*; see also S.C. Code Ann. § 15-53-130.

Subsequent to Plaintiff's 1977 kidnapping conviction, state laws were enacted that classified the crime of kidnapping as an offense of a sexual nature, which requires registration as a sex offender. S.C. Code Ann. § 23-3-430(C)(15). Specifically, South Carolina law requires a defendant convicted of the "kidnapping ... of a person eighteen years of age or older" to register as a sex offender "except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense." *Thompson*, 415 S.C. at 562, 785 S.E.2d at 190 (2016); see also S.C. Code Ann. § 23-3-430(C)(15). There is a presumption under the statute that a kidnapping conviction automatically requires placement on the sex offender registry. *State v. Fuller*, 425 S.C. 468, 480, 822 S.E.2d 910, 916 (Ct. App. 2019).

Plaintiff argues that his kidnapping conviction did not involve a sexual offense, therefore he should not be required to register as a sex offender pursuant to S.C. Code Ann. § 23-3-430(C)(15). Specifically, he argues that finding the victim's nude body, without other evidence of a sexual offense, does not support a finding that the kidnapping was sexual in nature.

In *State v. Fuller*, the defendant was convicted with kidnapping a female victim. Defense counsel argued Fuller's acquittal on a charge of criminal sexual conduct warranted a finding by the trial court that Fuller would not have to register as a sex offender. *Fuller*, 822 S.E.2d at 914. The State opposed the request, arguing conviction on a criminal sexual conduct charge was not a statutory prerequisite to placing a criminal defendant on the registry. *Id.* The Court held that "the trial court acted within its discretion in ordering Fuller to register as a sex offender because of evidence that the kidnapping charge of which he was convicted included an attempted criminal sexual offense." *Id.* at 917. The Court reasoned, if S.C. Code Ann. § 23-3-430(C)(15) "were to be interpreted to require a defendant convicted of kidnapping to register as a sex offender only if the defendant was also convicted of a criminal sexual offense, this section would be unnecessary

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because convictions for numerous criminal sexual offenses automatically trigger the requirement of placement on the registry." *Id.*

Based upon the evidence presented, Plaintiff failed to establish by a preponderance of the evidence that the kidnapping did not involve a sexual offense or an attempted sexual offense. Like the defendant in *Fuller*, Plaintiff was convicted of kidnapping the Victim. Plaintiff had engaged in similar conduct involving another woman close in time to kidnapping the Victim. Two months after Plaintiff kidnapped the Victim, he abducted Peggy Truitt from her home, raped and beat her, before letting her go. When Plaintiff abducted the Victim and Peggy Truitt, Kneece accompanied him. The actions of Plaintiff, established a pattern of behavior abducting women and assaulting them (including rape).

Plaintiff testified he could not remember all of the events because he was under the influence of drugs. Plaintiff admitted that he lied to law enforcement about the location where he killed the Victim. Plaintiff told law enforcement that he shot and killed the Victim in Aiken County in an attempt to keep his case in Aiken County. Law enforcement had reason to believe that Plaintiff killed the Victim in Lexington County because Plaintiff told them that he reloaded his gun in the woods before shooting the Victim. Plaintiff told law enforcement that he shot the Victim three times while the Victim was inside the trunk of her car. However, Kneece told law enforcement that the Victim was forced by Plaintiff into the woods where Plaintiff shot and killed her. Plaintiff denied that he knew the Victim was pregnant, however Kneece told law enforcement that the Plaintiff told him that she was pregnant. The Victim's fiancé and her neighbor confirmed that she was pregnant when she was murdered.

It is unclear whether the Plaintiff committed a sexual offense on the Victim because he went into the woods with the Victim alone. According to Kneece, they were in the woods for some time before he heard three gunshots. Shortly thereafter, the Plaintiff returned with the Victim's clothes in hand to the car where Kneece was waiting. Therefore, the Plaintiff is not a credible witness in determining whether he committed a sexual offense on the Victim.

Further, the autopsy report was inconclusive in determining whether the Victim was sexually assaulted. The Victim's body, was decomposed and partially eaten by animals. The Victim's genitalia was missing, thereby preventing forensic examination and testing.

Based on the testimony and evidence presented, and S.C. Code Ann. § 23-3-430, Plaintiff failed to overcome the presumption that the kidnapping conviction required sex offender

registration. Plaintiff failed to establish by a preponderance of the evidence that he did not commit a sexual offense or an attempted sexual offense on the Victim.

ORDER

For the reasons stated above, it is therefore **ORDERED AND DECLARED** that the kidnapping conviction requires sex offender registration pursuant to S.C. Code Ann. § 23-3-430.

AND IT IS SO ORDERED.

Alison Renee Lee

ALISON RENEE LEE

Presiding Judge

Columbia, South Carolina

April 3, 2020

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The State of South Carolina

County of _____ Aiken

INDICTMENT FOR HOUSEBREAKING AND LARCENY

At a Court of General Sessions, convened on the 13th day of June, 1977, the Grand Jurors of Aiken County present upon their oath:

COUNT ONE—HOUSEBREAKING

That BILLY WAYNE MCINTOSH

did in Aiken County on or about the 29th day of March, 1977, break and enter the house, to wit: the dwelling house of one Peggy Jane Truitt with intent to commit a crime therein.

COUNT TWO—LARCENY

That _____

did in _____ County on or about the _____ day of _____, 19____, feloniously take and carry away the personal goods of another of the value of more than fifty dollars, to wit: the personal goods of _____

Described as follows: _____

with intent to deprive the owner permanently of such goods.

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

Sylvia W. Westerdahl, Solicitor

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97-65-02.302

Witnesses

C. L. Edwards

Peggy J. Truitt

C. G. Heath

A. L. Whittington

DR. TOM TRUITT

KATHY GREMIACER

DR. LANGSTON

GENE KNEECE

Verdict

Foreman

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

June Term, 19 77

16:332

THE STATE

VS.

BILLY WAYNE MCINTOSH

not pros - doing 2
consol life sentences
- 10 yrs !!!
scw 9-77

INDICTMENT FOR

Housebreaking ^{or} and Larceny

Sylvia W. Westerdahl, Solicitor

Irue Bee Williams Norton
Foreman of Grand Jury

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

I, Robert J. Harle, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

26 day of June, 2077

Robert J. Harle
C.C.C.P. & G.S., Aiken County, S.C. 29517
Deputy Clerk

PLAINTIFF'S EXHIBIT
7-27-31-77

The State of South Carolina

County Of Aiken

INDICTMENT FOR AGGRAVATED ASSAULT AND BATTERY

At a Court of General Sessions, convened on the 13th day of June,
19 77, the Grand Jurors of Aiken County present upon their oath:

That BILLY WAYNE MCINTOSH
did in Aiken County on or about the 29th day of March,
19 77, commit an assault and battery upon one Peggy Jane Truitt,
constituting an unlawful act of violent injury to the person of the said Peggy Jane Truitt

accompanied by circumstances of aggravation, to wit: in that he the said Billy Wayne McIntosh with his hands, feet, fists and arms did hit, strike, beat and kick the said Peggy Jane Truitt, and with his hands, feet, fists and arms did wound and ill-treat the said Peggy Jane Truitt, and at the time there being a difference in the strength of the parties in that he the said Billy Wayne McIntosh was a strong person while she, the said Peggy Jane Truitt, was a weaker person and at the time and place there was a difference in sexes of the parties, in that he, the said Billy Wayne McIntosh, was a male person, while she, the said Peggy Jane Truitt, was a female person.

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

Sylvia W. Westerdahl
SYLVIA W. WESTERDAHL
Solicitor

77. GS. 02.301

Witnesses

C. L. Edwards

C. G. Heath

A. L. Whittington

Peggy J. Truitt

Mike Wilson

Inv. Herzog

Kathy Greninger

Verdict

Foreman

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

June Term, 19 77

THE STATE

VS.

W 18

BILLY WAYNE MCINTOSH

INDICTMENT FOR

Aggravated Assault and Battery ⁰¹³

Sylvia W. Westerdahl, Solicitor

Gene Rice William G. Naitson
Foreman of Grand Jury

I, Billy Wayne Mcintosh appear in my own proper person and plead Guilty to the within Indictment.

FILED MS [unclear] Billy Wayne Mcintosh

Witness Gene H. Roe July 21, 1977

The Sentence of the Court is that you, Billy Wayne Mcintosh be confined at hard labor upon the Public Works of Aiken County or in The State Department of Corrections for the Period of [unclear] or pay Fines of \$ [unclear] Pending Judge July 21, 1977

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
I, Robert J. Harte, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this 20 day of June 1977
C.C.C.P. & G.S., Aiken County, S.C. LSFH
Deputy Clerk [Signature]

AIKEN COUNTY

PAUL D. GRANT
Sheriff

MEMBER OF NATIONAL SHERIFFS ASSOCIATION

C. H. HEMPHILL
CHIEF DEPUTY

P. O. BOX 462
AIKEN, SOUTH CAROLINA 29801
TELEPHONES: Office: 648-9581

Grant: Alright, this is an interview with Billy Wayne McIntosh, his brother is present, Sammie McIntosh, at 10:16 A.M. on April 5th, 1977. Billy, I'm going to read you your rights, I now warn you you have the right to remain silent and tell me absolutely nothing in the world about this matter being investigated. Do you understand?

McIntosh: Yes

Grant: I further warn you that anything you say about this matter to me, I can and will testify against you in court, now you understand this, that if you tell me anything that I'm going to tell it in court against you?

McIntosh: Yes

Grant: You are entitled to have a lawyer present with you and before I ask you any questions or at anytime during questioning, do you understand?

McIntosh: Yes

Grant: If you cannot afford to have a lawyer one will be appointed for you without any cost by the court to be present with you and me before any questions are asked or before you make any statement, do you understand this?

McIntosh: Yes

Grant: Do you understand each of these four rights that I've explained to you?

McIntosh: Yes

Grant: Having explained these rights under the law do you care to make a statement about this matter we are investigating now?

McIntosh: Yes

Grant: O.K. sign this right there. O.K. Billy Wayne start from the beginning and tell us everything about, this is in the investigation into the missing of Joyce Heilig from Augusta, Ga. Billy Wayne McIntosh suspect.

McIntosh: I was coming back from Augusta one Saturday morning, it was about 4:00 A.M. to 5:30 A.M. and I was passing a filling station on top of Schultz Hill and there was a woman pulling out of there on, in a Blue Lemans, red headed woman and she pulled up to the side of the parking lot to come back out on the highway, I snatched the door open on the car and jumped in, she started screaming and stuff and I pulled the gun on her and told her to sit up and drive like I said and she

STATE'S
EXHIBIT

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McIntosh: wouldn't get hurt, so she kept screaming and finally she quit screaming a little bit and she turned off to the right toward Aiken down Highway #1, she was going all over the road and stuff, screaming and hollering, I slapped her and she sat up and drove on about another 1/4 mile or so and she started going all over the road and everything and I made her stop and I started driving and I just kept on, while I was driving she kept mumbling something or doing something that got me real mad I told her, I didn't tell her nothing now, she just doing that there, I stopped the car and grabbed her by the hair of the head and pulled her out and went around and threw her in the trunk, this was down at the roadside park right across from Midland Valley Country Club, when I threw her in the trunk she kept on screaming and stuff so, I just pulled out the gun and shot her, I shot her once in the back of the head and once right around the forehead and one right in the center of the cheek, I closed the trunk and I got back in the car and drove off and come through Aiken on Highway #1 and I got on Highway #78 and went through Aiken back out toward Wire Road on the Bypass, I stopped somewhere on Road 49 and took all her clothes, earrings, and everything off of her and laid them inside the trunk and I just drove and got on I-20 somewhere between 8 to 9:30 A.M. that morning I turned off a road and went off of I-20 and went back up that road into the woods and threw her body out, went back to the car and I got in it and I drove off, I don't recall where all I went but I come back to Aiken later on that night, Saturday night and I parked the car and hid it back over in, somewhere over in the Millbrook area and went home, on Saturday night I went back and got the car and I drove it down to Cold Creek and I had done bought a gallon of gas and I poured the gas all over the car and set it on fire and I walked back home and that's all it was to it.

Grant: O.K., approximately how long ago was this?

McIntosh: I don't remember the date

Grant: A month, six weeks?

McIntosh: Something like that.

Grant: Do you remember what all you did to the vehicle after you carried it down there?

McIntosh: Well, I parked it at Cold Creek and I loosened all the lugs on the wheels, I was going to keep the tires and I loosened them all and I jacked the left back side up and I got the wheel off and started on the right side and the jack kept falling so, I just got mad and pulled the jack out from under the car and threw it out across the woods.

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Murder

Grant: Did you take anything else off the car?

McIntosh: No.

Grant: Did you tear anything off of it?

McIntosh: No, I didn't Yea, a C.B. antenna that was on the back, I broke that off and threw it across the woods, other than that I didn't touch nothing other than pouring gas on it, in the trunk and everything, those socks, I took her socks and filled them with sand and tied them in a knot and dipped one end of them in gas and lit them and threw them in the car to start the fire, I threw one in the front seat and one in the trunk.

Grant: What all did you put in the trunk of the car belonging to her?

McIntosh: I took all of her clothes, her earrings, her necklace, and a ring or something, she had some kind of a ring I think and I just threw all that in the trunk and I just left it in the trunk, really I just left it in the trunk because that's where I took her clothes off, in the trunk.

Grant: How about eye glasses?

McIntosh: They were left laying in the trunk to, I think, she might have lost them, they came off her head while I shot her because I don't remember pulling them off.

Grant: O.K., can you think of anything else?

McIntosh: No.

Grant: O.K. can you relate to us what happened to you last night, this being the 4th of April around 10:00 P.M.

McIntosh: I was laying in bed and all of a sudden I just, it just hit me all at once and then I realized what I had done and I called, I asked the turnkey to call ya'll and he did and ya'll come over and I told ya'll what I could remember right at that time and I asked you if I could take you where her body was and Ya'll said yes, and I took you up there and showed you where the body was.

Grant: Chuck being the Detective with the City of Aiken?

McIntosh: Yes.

Grant: Can you add anything else to your statement?

McIntosh: No.

Grant: O.K., you do make this statement of your own free will?

McIntosh: Yes

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State Vs. McIntosh, Billy Wayne
Murder

Grant: Without promise of anything?

McIntosh: Yes

Grant: This ends the interview with Billy Wayne McIntosh at 10:24 A.M.
April 5th, 1977.

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AGENCY ID
SC

SUPPLEMENTAL REPORT

CASE NUMBER

ORIGINAL REPORT SUPPLEMENTAL REPORT PAGE _____ OF _____

ON FEB. 25, 1977 ONE JOYCE HEING WAS REPORTED MISSING TO THE RICHMOND CO. GA. SHERIFF'S DEP.

ON FEB. 27, 1977 THE CAR THAT JOYCE WAS DREIVING WAS FOUND BY THE AIKEN CO. SHERIFF'S THEY HAD RECEIVED A REPORT FROM ONE CARL RICHARDSON 2907 POREU DR. AIKEN, S.C. BILL MATLOCK INVESTIGATOR AIKEN CO., SLED AGENT PAUL GRANT AND RICHMOUD CO. INV. JAMES CADDEN AND TOM PERRY INVESTIGATED THE CAR.

THE CAR WAS LOCATED APPROXIMATELY 1/4 MILE FROM THE END OF PAVEMENT ON BANKS MILL RD. TRAVELING EAST ON BANKS MILL RD. DIRT SECTION, COLE CREEK AREA, A SMALL DIRT ROAD TO THE LEFT (NORTH OF BANKS MILL ROAD) APPROXIMATELY 400 YARDS ALONG DIRT ROAD. THIS VEHICAL WAS VISIBLE FROM BANKS MILL RD. EXR. APPROX. 200 YARDS IN THE WOODED AREA. THE CAR WAS OBSERVED TO BE A LATE MODEL VEHICAL COMPLETELY BURNED. THE PASSENGERS DOORE (RIGHT SIDE DOORE) WAS STILL IN TACT. THE PAINT COLOR ON THIS DOORE WAS A LIGHT BLUE. THE VIN # 2D37M5A115253, PONTIAC 1975 MOBLE, GA. LICENSE LNH 663. AIKEN CO. INVESTIGATORS WERE INFORMED THE CAS WAS BEING OPERATED BY ON JOYCE HEING OF AUGUSTA, GA. THEY WERE ALSO INFORMED THAT SHE HAD BEEN REPORTED MISSING ON FEB. 25, 1977 BY GARY MULLIS.

THE VEHICAL WAS BURNED, INTERIOR WAS DESTROYED, ENGINE BURNED, TRUNK BURNED. THREE WHEELS AND TIRES BURNED, LEFT REARWHEEL MISSING FROM VEHICAL, C.B. ANTENNA MISSING FROM BRUNK. SPARE TIRE MISSING FROM TRUNK. SEVERAL ITEMS WERE FOUND IN THE TRUNK WHAT APPEARED TO BE A WOMANS PURSE, BURNED, CONTENTS POSSIBLY CHECKBOOK, POSSIBLE ADDRESS BOOK WIRE BOUND, PAIR OF SIZZORS, LIPSTICK, BOTTLE OF POSSIBLE EYE LINER, X A PAIR OF OCTAGON SHAPED WIRE RIMMED GLASSES AND AN UMBRELLA. ALL ITEMS BURNED. A SEARCH OF THE AREA REVEALED, A BUMPER JACK AND BAN PLATE TOE THE RIGHT OF THE VEHICAL, APPROX. TEN FEET AWAY. APPROX. 20 FEET FROM THE VEHICLE A PLASTIC MILK JUG CONTAINING THE ORDER OF GASOLINE. APPROX. 50 FEET TO THE RIGHT OF THE VEHICLE THE CASE SECTION OF A C.B. ANTENNA WAS LOCATED. ALL ITEMS PRESERVER AN EVIDENCE, AND PROCESSED BY SLED. PHOTO'S OF THE SCENE WERE TAKEN BY INVESTIGATOR GENE JOHNSON OF RICHMOND CO. AND TURNED OVER TO BILL MATLOCK OF AIKEN CO.

ON APRIL 4, 1977 DET. BYARS OF THE LEXINGTON SHERIFF'S DEP. AND WAS ADVISED BY AIKEN CO. THAT THEY HAD RECOVERED A BODY OFF HIGHWAY 204 NEAR I-20.

XXXXXXXXXX
DET. BYE
DET. BYARS ARRIVED AT THE SCENE AND ALONG WITH SLED AGENT PAUL GRANT AND AIKEN CO. INVESTIGATOR JACK FIELDS, BILL MATLOCK AND RICHMOND OO. GA. INVESTIGATORS JAMES CARDEN, TOM PERRY, ALSO LEXINGTON CO. CORONER HARRY HARMOND. LEXINGTON CO. ID OFFICER JOHN DAUTH. SEED ID OFFICER AND AIKEN CO. ID OFFICER WERE ALSO PRESENT. UPON ARRIVING TO THE LOCATION OF THE BODY THIS

CASE STATUS: ACTIVE CLEARED BY ARREST OVER 15 UNDER 15 UNFOUNDED
REPORTING OFFICER: _____ NUMBER: _____ APPROVING OFFICER: *Det. James L. Byars* NUMBER: *69*
REPORT DATE: *04.17.77*
COLUMBIA OFFICE SUPPLY CO. 283389

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000093

AGENCY ID. SC

SUPPLEMENTAL REPORT

CASE NUMBER

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OFFICER OBSERVED A BADLY DECOMPOSED BODY OF WHAT APPEARED TO BE A WHITE FEMALE. THE BODY HAD BEEN STRIPED OF ALL CDOOTHING AND WAS LYING ON THE GROUND. THERE HAD BEEN NO ATTEMPT TO COVER THE BODY. PICTURES WERE TAKEN BY ALL THREE DEPARTMENTS. THE AIKEN CO. SHERIFF'S DEP. HAD BEEN LED TO THE SCENE BY BILLY WAYNE McINTOSH AND HE ADVEXED THEM THAT HE HAD KILLED THE GIRL ON ROAD 49 IN AIKEN CO. AFTER THE SCENE WAS PROCESSED THE BODY WAS REMOVED TO CAUGHMAN HARMOND FUNERAL HOME BY THE CORONER. AT THIS POINT THE AIKEN CO. CORONER TOOK CHARGE OF THE BODY AND HAD IT TAKEN TO THE MEDICAL UNIVERSITY OF CHARLESTON FOR AN AUTOPSY.

ON FEB. 5, 1977 DET. BYARS WAS ADVISED BY AIKEN CO. THAT THEY HAD REASON TO BELIEVE THE DEATH HAD OCCURED IN LEXINGTON CO. WHERE THE BODY WAS FOUND. DET. BYARS WAS SENT TO AIKED CO TO TALK WITH THE SUSPECT. UPON ARRIVING IT WAS LEARNED THAT THERE WAS ANOTHER SUSPECT. ONE ALLEN EUGENE KNEECE. DET, BYARS RECIEVED A VERBAL ATATEMENT OF ALLEN AND HE STATED THAT HE AND BILLY HAD ABDUCTED THE VICTUM IN AUGUSTA, GA. AND HAD TAKEN HER TO LEXINGTON CO. AT WHICH POINT BILLY McINTOSH HAD TAKEN THE GIRL INTO THE WOODS AND AFTER A FEW MINUTES ALLEN HAD HEARD THREE SHOTS. A FEW MINUTES LATER BULLY RETURNED TO THE CAR WITH THE GIRLS CLOTHING. DURING ALLEN'S STATEMENT HE ALSO STATED THAT BILLY HAD STATED THAT HE HAD TO WAST KRM HER. BILLY SAID THIS WHILE RIDDING IN THE CAR ON I-20. ALLEN STATED THAT THE NEXT DAY HE AND BILLY AND MIKE WILSON HAD THE CAR AND BURNED IT. BILLY McINTOSH WAS TOLD WHAT ALLEN HAD STATED AND HE SAID THAT IF HE KNEW THAT MUCH ABOUT WHAT HAPPEN IT MUST BE THE TRUTH. HOWEVERE BILLY STILL BELIEVES THAT H KELLEED SOMEONE IN AIKEN CO. ON ROAD 49. EVENTHOUGH BILLY'S STORY DOES NOT GO ALONG WITH ALLEN IT IS IMPORTANT TO POINT OUT THAT BILLY KNEW WHERE THE BODY WAS AND ALSO KNEW THE NUMBER OF SHOTS FIRED AND WHERE THE VICTUM WAS SHOT(HEAD). BILLY ALSO KNEW THE CAL. OF WEAPON USED (22 pistol) THERE ARE ALSO SEVERAL THINGS THAT CHECK OUT WITH ALLEN'S STORT. FIRST: THE LOCATION IN AUGUSTA WHERE THE ABDUCTION TOOK PAACF IS WHERE THE VICTUM WOULD HAVE BEEN AT THAT TIME OF DAY. ALSO THE LOCATION OF THE BURNING OF THE Auto IS WHERE IT WAS FOUND. ALLEN WAS ALSO ABLE TO IMEXX DESCRIBE THE LOCATION WHERE THE BODY WAS FOUND.

ON FEB. 5, 1977 THE BODY WAS IDENTIFIED THROUGH DENTAL RECORDS FROM THE VICTUM'S PERSONAL DENTIS. THE AUTOPSY WAS ABLE TO CONFERM THAT THE VICTUM IN THE HEAD TWO TIMES AND POSSIBLY THREE TIMES WITH A 22 CAL WEAPON. ONE SLUG WAS RECOVERED. DURING THIS INVESTIGATION BOTH SUSPECTS WERE IN THE AIKED CO. JAIL ON OTHER CHARGES. AIKEN CO. WAS ABLE TO LOCATE A 22 CAL PISTOL THAT BILLY HAD SOLD, THIS GUN ALONG WITH THE SLUG TAKEN FROM THE VICTUM WAS TAKEN TO SLED HQ FOR COMPAIRSON. ON FEB. 6, 1977 WARRANTS WRER DRAWN ON BILLY WAYNE McTOSH AND ALLEN EUGENE KNEECE FOR MURDER. THE NEXT DAY A WARRANT WAS DRAWN ON MICHAEL WILSON FOR ACCESSORY AFTER THE FACT;

CASE STATUS: ACTIVE CLEARED BY ARREST EX. CLEARED OVER IS UNDER IS UNFOUNDED REPORT DATE 02.04.77 REPORTING OFFICER NUMBER APPROVING OFFICER [Signature] NUMBER 057 COLUMBIA OFFICE SUPPLY CO. 263999

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LEXINGTON COUNTY SHERIFF'S DEPARTMENT
INCIDENT REPORT

1561

AGENCY ID. **5 C** CASE NUMBER **27040504781** NCIC ENTRY

INCIDENT TYPE **Recovered Homicide Victim** INCIDENT CODE **9999** PREMISE TYPE **2**

INCIDENT LOCATION **Off I-20 near T-20** WEAPON TYPE **Pistol**

INCIDENT DATE **2/24** TIME **11:20**

COMPLAINANT **Brawley, Paula A** ADDRESS **SLIED**

VICTIM NAME **Melinda Jolyce** AGE **20** RACE **M** SEX **F**

SUSPECT NAME **Melatosh, Billy** RACE **W** SEX **M** DATE OF BIRTH **1/9/49**

CHARGES **1** OFFENSE CODE **1** JURIS. **1**

ARREST AT OR NEAR OFFENSE SCENE **YES** DATE OF OFFENSE

STOLEN **RECOVERED** TAG NUMBER STATE YEAR V.I.N. VALUE PLATE ONLY

WITNESS NAMES ADDRESS PHONE NUMBER

NARRATIVE
 On February 26, 1977 Aiken Co. Sheriff's Dep. investigated a car fire - 1973 Lemans Pontiac, 2 dr. HT, Baby Blue - Car burned in the Cole Creek area of Aiken Co. - in the cars trunk the above victims pocketbook, glasses & other articles were found. Car registered to a Gary Mullis - Augusta, Ga.
 On 4-4-76 Suspect was in Aiken Co. Jail on a Rape Abduction charge on another person. Suspect contacted Aiken Co. Det. and gave him this story:
 Suspect jumped in car with victim and showed her a pistol, she was hysterical and he slapped her. At this point she made him mad and he jerked her from auto after stopping and put her in trunk. He stated at this point he shot her three times first in the back of the head, second in the forehead and third just below right eye. He then drove to Hwy. #49 Aiken Co. and removed her clothing, rings, ear rings etc. He then drove to her Co. Hwy 204 and left body. He then took car back to Aiken and the next day burned the car.

VEHICLES CURRENCY JEWELRY FURS THIEF/RECOVERY JURIS.
 STOLEN RECOVERED
 CLOTHING OFFICE EQUIP. TV, RADIO, ETC. FURNITURE
 STOLEN ACCVLED
 FIREARMS CONSUMER GOODS OTHER TOTAL
 STOLEN RECOVERED

CASE STATUS: ACTIVE CLEARED BY ARREST EX. CLEARED OVER 18 UNDER 18 UNFOUNDED

REPORTING OFFICER **BYARS** NUMBER **614** APPROVING OFFICER **DAVIS AC** REPORT DATE **040577** NUMBER **61**

BRAC

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#3 7-31-19

AGENCY ID. SC

SUPPLEMENTAL REPORT

CASE NUMBER 77040504481

ORIGINAL REPORT SUPPLEMENTAL REPORT

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After hearing this story Det. Jack Fields A.P.S.O., Bill Matlock A.C.S.O. and S.I.E.D. Agent Paul A. Grant. had suspect take them to the location of body. After finding the body they contacted Lexington Co. S.O. Det. Byars was sent to the scene. Det. Byars then called out Det. John Douth. Aiken Co. I.D. officer and S.I.E.D. photographer were called. Coroner Harry Hammond also arrived. Aiken Co. Coroner also came to Lexington and met with Harry Hammond.

The body was extremely decomposed and had been partly eaten by animals. After photos were taken body was taken to Charleston, S.C. Medical Univ.

The victim was reported missing from Augusta, Ga. so Det. James M. Cadden and Det Tom Perry of Augusta, GA. P.D. also came to the scene.

The Aiken Sheriff's office thinks they will be able to pin point location of shooting because suspect stated he dropped empty cartridges where he shot her. Also Aiken Co. S.O. believes they have the weapon used.

At this point Aiken Co. S.O. is handling case. They sent their I.D. officers and one Det. to Charleston with body.

CASE STATUS: ACTIVE CLEARED BY ARREST

EX. CLEARED OVER 18 UNDER 18 UNFOUNDED

REPORT DATE 0.40.5777

REPORTING OFFICER SPARRS RD

NUMBER 164

APPROVING OFFICER DAVIS RAC

SGT

NUMBER 61

COLUMBIA OFFICE SUPPLY CO. 283208

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Opening
Active

AGENCY ID.
S C L E D 0 0 0 0

INCIDENT REPORT

CASE NUMBER
77-561

NCIC
ENTRY

INCIDENT TYPE
Abduction - RAPE - Assault + Battery w/ Intent to Kill
House Breaking - 2, 5, 24, 35

1 HIGHWAY	2 COMMERCIAL
3 SVC STATION	4 CHAIN STORE
5 RESIDENCE	6 BANK

Woods

INCIDENT LOCATION
333 Berkeley Street Aiken S.C.
INCIDENT DATE 3-29-77 TIME 9:00 PM DATE 3-29-77 TIME 8:00 AM

WEAPON TYPE (Pistol, Shotgun, Knife, Hands, Poison, Etc.)

COMPLAINANT
Peggy Tavitt
VICTIMS NAME
SAME AS Comp

CENSUS TRACT
PHONE NUMBER
RESIDENCE PHONE
BUSINESS PHONE
EMPLOYER OR OCCUPATION

SUSPECT NAME
Billy Wayne McTish + Eugene Kneese
WANTED ADDRESS
East Boundary + East Boundary

RACE SEX AGE
HEIGHT WEIGHT HAIR EYES
OFFENSE CODE
OFFENSE-ARREST JURIS
1 CITY
2 COUNTY
3 STATE
4 OUT OF STATE

WARRANT CHARGES
A SAME Incident Type
ARREST B
C

TOTAL NUMBER ARRESTED
ARREST AT OR NEAR OFFENSE SCENE YES NO
DATE OF OFFENSE
TAG NUMBER STATE YEAR V.I.N. VALUE PLATE ONLY
STOLEN RECOVD YEAR MAKE MODEL STYLE COLOR

WITNESS NAMES ADDRESS PHONE NUMBER

NARRATIVE
Subjects abducted the victim from her residence and
Rode her around all day. They carried her out into the woods
where McTish beat her with his fist breaking her jaw in two
places and other various bruises and lacerations. McTish then raped
the victim and told her he was going to kill her.
Victim is in the hospital in Augusta Ga. The investigation is
continuing.

VEHICLES		CURRENCY		JEWELRY		FURS		THEFT RECOVERY		JURIS	
STOLEN										1 CITY	
RECOVERED										2 COUNTY	
CLOTHING		OFFICE EQUIP.		TV, RADIO, ETC.		FURNITURE				3 STATE	
STOLEN										4 OUT OF STATE	
RECOVERED											
FIREARMS		CONSUMER GOODS		OTHER		TOTAL		DATE OF THEFT			
STOLEN											
RECOVERED											

ADM. CASE STATUS: ACTIVE CLEARED BY ARREST EX. CLEARED OVER 10 UNDER 10 UNFOUNDED
REPORTING OFFICER: P.A. Bond NUMBER: 189 APPROVING OFFICER: NUMBER:
REPORT DATE: 3-31-77

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Page Two

came into Aiken, on a four lane road and went into a shopping center. She stated that they rode around in the shopping center and stopped a subject in a NOVA, dark colored, operated by a white male with short hair. She stated that McIntosh stopped this vehicle in the parking lot. After talking with him he left the shopping center and made a right turn and went to another location. She stated that he took her to a place where she could see a lot of lights and he told her that those lights were in Georgia, and that all she had at that time was abduction and he was not taking her across the state line, because that would be kidnapping. She stated that they went to a trailer park and rode around it for a few minutes then came back to Aiken. She stated that after coming back to Aiken they ran out of gas and had to walk to a station. She stated that it was a Hess Station. She stated that he placed the gun on top of a brick fence post until they returned to the vehicle.

They took an interstate and started back to Columbia, S.C. She stated that while traveling back to Columbia they pulled into the rest area before you get to Columbia, S.C. She stated that they stopped and two trucks were parked in the area. He asked if she would like to see some dead bodies. She stated then that she did not. He pointed to an area in front of the vehicle and told her the bodies were on the hill. She told him that she did not want to see them. He then told her that he would take her there anyway. She told him that he might take her but she would not look. She stated that they left and went to Columbia, S.C. He took her to her Apartment Complex and then left the area again. She stated that he brought her to Aiken again, and took her to a location and told her his mother in law lived there. He also took her several other places. Then they returned to Columbia, S.C. He brought her to Aiken on a third trip and took her to a location and told her his mother lived near there, he got out of the car and left her.

STATE'S
EXHIBIT

#5 7-31-19

AIKEN COUNTY

PAUL D. GRANT

Sheriff

MEMBER OF NATIONAL SHERIFFS ASSOCIATION

P. O. BOX 462

AIKEN, SOUTH CAROLINA 29801

TELEPHONES: Office 648-9581

C. H. HEMPHILL

CHIEF DEPUTY

This is an interview with Eugene Allen Kneece at 10:37 A.M. April 6th, 1977. Present are Mr. Gene Kneece, Investigator Bill Matlock, and myself (Paul A. Grant). This is a investigation into a Murder in Lexington County.

Grant: Mr. Kneece, I'm going to read you your rights. You have the right to remain silent, do you understand that?

Kneece: Yes

Grant: Anything you say will be used against you as evidence in court, do you understand this?

Kneece: Yes

Grant: You are entitled to talk to a lawyer now, and have him present at any time during questioning, do you understand this?

Kneece: Yes

Grant: If you cannot afford a lawyer one will be appointed for you without cost, do you understand this?

Kneece: Yes

Grant: If you decide to talk with us and if you wish to stop at anytime we will do so, do you understand this?

Kneece: Yes

Grant: Having been read your rights do you understand all your rights?

Kneece: Yes

Matlock: Do you agree to talk with us without having a lawyer present?

Kneece: Yes, It was about 7:00 me and Billy Wayne left Aiken

Matlock: State the whole name of the other subject involved.

Kneece: Billy Wayne McIntosh, myself and Billy Wayne McIntosh left Aiken and went to Tarzan Swings (Highway #1) and about 5:00 or 5:30 we left Tarzan's and went up Gordon Highway to Shoney's and turned around and come back towards Aiken, we saw this blue car and said that's the car, he (Billy Wayne McIntosh) said I'm going to get it and we turned

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#67-31719

000068

Kneece: off of Gordon Highway onto Walton Way and turned back on 5th Street and that's when he bumped it. She got out and come to the back of the car and Billy got out and walked to the front of his car and when she walked back to the door Billy walked back up to the door with her and that's when he pulled the gun and told her to get over and she did and Billy climbed in and he turned on the road, I don't even know the name of the road, went out and got on Gordon Highway and went to the lights and turned and came back towards Aiken and I was driving his mother's car and I followed him and we took his mother's car home and when I got out to go to the car where Billy was he ah, got out of the car and said the girl was pregnant, I told him to let the girl go and he said it didn't make any difference to him. Then we headed out 19 and got on I-20 and went to, I don't know the name of the road, got off there and went about a mile down the road and turned up a dirt road and then went up the dirt road and found this old road that run off the dirt road and it went up a hill and into a pine thicket, Billy and the girl got out and walked away down into the pine thicket and I couldn't see them from the car and they were down there for a while and then I heard three (3) shots and Billy came back to the car with the girls clothes and then when Billy got back to the car, he was upset and shaking and Billy said not to worry about it because she didn't suffer, I never did say anything else to Billy, we went to Columbia, S.C. and Billy took the C.B. out of the car and ~~XXXXXXXXXXXXXXXXXXXX~~ sold it and got some gas and we went and got something to eat at McDonalds, then we pulled, after we left McDonalds we went to the store and there wasn't nothing there and we stopped beside this big green trash can and we got the clothes out of the back seat and put them in the trunk and we left there and we went down to the Mall in Columbia, S.C. and we rode around there and we left there and we went to, we just went riding through town and then about 5:30 or 6:00 we went back to the Mall and we were driving through there, about, between 8:00 and 9:30 he got in the car in a Volkswagen with another girl and they left and I waited on them about 12:00 and he never did come back, I drove that Pontiac back through Columbia and to Aiken and hid it behind Kennedy High School in the woods and then I went home, the next day Billy and Mike Wilson came over to the house and they said let's go get that car and burn it, so, I went with Billy and Mike, Billy got the car and went down on Banks Mill Road and we got on the dirt road and turned up in there and he said he was going to take the tires off the car and he got the right rear tire off of it and the jack kept falling and he couldn't get the rest of them off so, he threw gas all over the inside of the car and the trunk and he poured it all over the car, then he took the girls socks and he put sand in them and dipped them down in the gas and then he lit the socks and threw them in the car and we left and I went home and I don't know what they did.

Grant: O.K., how long ago was this, when it happened?

Kneece: A month ago.

Grant: When ya'll were at Tarzan's did ya'll discuss what you were going to do, before you did it?

Kneece: No.

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Murder

Grant: Did you know anything about what was going to happen when you went out to the car?

Kneece: No.

Grant: Was there anything that would make you think it was planned on him taking that car and abducting that girl?

Kneece: The only thing that I can figure is when he said that's the car, he kinda startled me.

Matlock: Gene, while he (Billy Wayne) was driving his mothers car on Gordon Highway and he turned off on Walton Way onto 5th Street, Billy Wayne bumped the vehicle the girl was in, and she got out of the car, you said that Billy Wayne got out of the car and he walked up there where she was at and as she went back to the door he pulled the pistol and he got in the car right?

Kneece: Yes sir

Matlock: Did he tell you to drive his mothers car?

Kneece: No sir

Matlock: How did you know what he was going to do?

Kneece: I didn't, I just slid over behind the wheel

Matlock: He didn't tell you anything about, you follow me or I'll follow you or anything along this order

Kneece: No Sir

Matlock: You just ~~automatically~~ automatically slid over and followed him.

Kneece: Yes sir

Matlock: Have you ever done this with Billy Wayne before?

Kneece: No sir, yes, now I have.

Matlock: Before this happened?

Kneece: No

Matlock: Never before?

Kneece: No

Grant: Do you know where you sold the C.B. out of the car?

Kneece: At a truck stop in Columbia, S.C.

Grant: On I-26?

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State vs. McIntosh, Billy Wayne
Murder

Matlock: Dark or Light

Kneece: Light blonde

Matlock: About how tall was she?

Kneece: 5'8", I guess, she was skinny, from what I seen, she had a furry white coat on, I couldn't see to her clothes.

Grant: Describe the clothes she had on

Kneece: She had a white jacket and blue jeans that's all I saw.

Grant: Did we ask you any questions while the tape was off?

Kneece: No sir, Go ahead, like I said she had a white furry looking jacket and a pair of blue jeans, I don't remember what the rest of her clothes looked like.

Grant: Do you know what happened to the tire that you took off the car?

Kneece: No sir, it was there when I left the car.

Grant: How about credit cards, did you take a credit card out of her pocket book?

Kneece: No sir, I think they were still in her pocketbook.

Matlock: Was there anything that was taken from this car or from this girl that was killed?

Kneece: No, not that I know of

Matlock: Did she have any money?

Kneece: No sir

Grant: Alright, how about describe the gun that she was shot with.

Kneece: Chrome plated, 22 and it had pearl handles.

Grant: Do you know what name brand it was?

Kneece: No sir, I don't remember that

Matlock: Did you at anytime see Billy Wayne with another weapon besides the one that you just described?

Kneece: No sir

Matlock: Did you have a weapon?

Kneece: NO sir

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State Vs. McIntosh, Billy Wayne
Murder

Matlock: You stated that Billy Wayne walked into the woods with the girl.

Kneece: Yes sir

Matlock: And you heard a number of shots, or what you thought to be shots?

Kneece: Yes sir

Matlock: Do you remember how many?

Kneece: Three (3) I believe

Matlock: What sequence, were they rapid firing or one here, and then a couple seconds and another one

Kneece: No, they were one, two, three.

Matlock: Normally, if what you would say if you were firing?

Kneece: As fast I could pull the handle back.

Grant: Did the girl do anything fighting while you were riding with her?

Kneece: No sir, she went to sleep when I got in the car, she was asleep when I got in the car.

Matlock: Did she ever give you any problems, did she scream, did she attempt to get out of the vehicle or did she attempt to fight either one of you?

Kneece: No sir

Grant: Did she fight with Billy Wayne when you were following them back to Aiken

Kneece: No sir, I wasn't that close to them, I kept running about 60 M.P.H.

Matlock: Did Billy Wayne stop the vehicle anywhere between the time you picked her up and the time you arrived there.

Kneece: Yes sir, we came down the bypass all the way to behind the ~~bowling~~ bowling alley on Park Ave., Park Avenue Lanes Bowling alley, he pulled over and told me to take his car to his house and that's all.

Matlock: How many times did the vehicle stop from the time that Billy Wayne put the girl in there at gun point and the time you got to his mother's house, it stopped one time at Park Ave.

Kneece: Behind Park Avenue

Grant: You say she was asleep the whole time you were in the car

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Murder

Kneece: Well, when I got in she raised up and when we headed out 19 she went back to sleep.

Grant: Didn't it seem kind of strange to you that she was sleeping after she'd been kidnapped, she hadn't been shot had she?

Kneece: No, because she got up and walked.

Grant: You didn't see any blood on her?

Kneece: No sir, I didn't see blood nowhere.

Matlock: Was she in the front seat of the vehicle or the back seat when you got there?

Kneece: Front seat.

Matlock: When you got in the car she was between you and Billy?

Kneece: Yes sir.

Matlock: You got in the front seat also?

Kneece: Yes sir.

Matlock: Did you talk to the girl?

Kneece: No.

Matlock: Did you say anything at all to her?

Kneece: No.

Matlock: Did you know that Billy Wayne had taken her to the area in the pine thicket off the dirt road to kill her?

Kneece: When he got out of the car with the gun I figured he was going to shoot her or something, got up there and rape her or something.

Matlock: When Billy Wayne came back to the car did you ask him what he had done?

Kneece: No he just said he wasted her.

Matlock: He said he wasted her?

Kneece: Yes sir.

Matlock: Did you question him at anytime about what happened?

Kneece: No sir.

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State Vs. McIntosh, Billy Wayne
Murder

Matlock: Did you question him at anytime about it, until this day you never talked to him about what happened?

Kneece: No sir

Matlock: Do you remember anything else about the situation that you haven't told us?

Kneece: No sir,

Grant: Let me ask you something, you brought the car from Columbia, on you, when he got the girl from the shopping center on Friday night you were suppose to meet him where in Columbia, anywhere?

Kneece: I just sat there, I pulled the car over the front of the parking lot and sat there and waited until 12:00 and he never did come back he never did say anything about weather I should meet him or not, so, I just waited there.

Grant: Then you came to Alken

Kneece: Yes

Grant: Where di you park the car?

Kneece: Behind Kennedy in the woods

Grant: This was what time Friday?

Kneece: About 1:30 when I got back to Alken

Grant: It was doing about the time of the change from Friday night to Saturday morning, right?

Kneece: Yes sir

Grant: When did you get the car again?

Kneece: About 7:00 the next day,

Grant: The next morning or that evening?

Kneece: That evening.

Grant: Who went with you to get it?

Kneece: Me, Billy Wayne and Mike Wilson

Grant: you took the car where?

Kneece: To down Banks Mill Road

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State Vs. McIntosh, Billy Wayne
Murder

Grant: How far off, you know Down Banks Mill the pavement turns into dirt, you know, how far off the pavement and onto the dirt road where you?

Kneece: About a mile or two we turned

Grant: Which way did you turn?

Kneece: To the left

Grant: You went up how far?

Kneece: Not real far, about a block, we turned back to the right and we went about 100 yards and stopped, Billy Wayne got out and said that he was going to take the tires off the car and he got the jack out and he was jacking it up and he got one tire off the car and then the jack started falling and he couldn't get it to Jack up.

Matlock: Was there a spare tire in the car?

Kneece: Yes

Matlock: Was the spare tire removed from the car?

Kneece: It was throwed out from the back of the car

Matlock: It was throwed out of the back of the car, O.K. there was another subject with you and Billy at the time you burned the automobile

Kneece: Yes

Matlock: Do you know his name?

Kneece: Mike Wilson

Matlock: Do you know where he lives at?

Kneece: Yes sir, On Highway #1 across from Crosland Park, he's about 5'11" about 140 lbs. I guess, he's got hair about to his shoulders and it's bushy and brown, between light and dark brown

Grant: Does he wear a hat?

Kneece: No sir

Grant: Did he use to wear a hat?

Kneece: He has worn one.

Grant: Does he have a big

Kneece: Not really, it's kinda big.

Matlock: What type of vehicle does Mr. Wilson operate?

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Kneece: A New Yorker.

Matlock: Chrysler New Yorker

Kneece: Yes sir

Matlock: what color is it?

Kneece: Beige, dark top on it I believe

Matlock: Do you know what year it is?

Kneece: I'm not sure I think it's a 71 or a 72.

Matlock: Is this the vehicle that he drove to the Cold Creek Area off of Banks Mill Road?

Kneece: Yes sir

Grant: Ya'll didn't take the tires and put them in his car when you left?

Kneece: No sir

Grant: What part did he play in burning the automobile?

Kneece: None really, he was trying to help get the tires off the car... but Billy Wayne's the one that threw gas on it and lit it.

Grant: Did Mike Wilson know what you were going to do with the car when ya'll went down there?

Kneece: I think so, I didn't tell him, when I got in the car with Billy Wayne he didn't tell him

Matlock: Billy Wayne and The Wilson boy came to get you to go get the car, Billy Wayne made the statement to you that he was going to take the car out and burn it, Was Bilson present?

Kneece: No sir, he was outside.

Grant: Tell us what you did to the car, did the car have a C.B. antenna on it?

Kneece: Yes

Grant: Tell me what you did.

Matlock: Describe to us, exactly what Billy Wayne McIntosh did to this Pontiac

Kneece: Well, ah, he took the antenna off the car and I believe he threw it in the trunk or in the woods, then he got the jack out of the trunk and started jacking it up and was going to take the wheels off of it, he got the right rear tire off the car and I believe he got it out from under the car, I'm not sure but the jack started falling, the jack wouldn't stand up and everytime he'd jack it up it would fall back down.

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Murder

Matlock: o.k. now, when you say it was the right wheel, which do you consider the right wheel, the one on the passenger side or the one on the drivers side to the right side.

Kneece: Passenger, then he started that's when he got the gas out of the Pontiac and scattered it inside the car and in the trunk and then he poured some all up and down the car and then he got the socks out and dipped them in the gas and lit them and he put sand in them and he threw one in the trunk and one inside the car and ~~xxx~~ that's when we left.

Grant: When you left, the wheel off the car and the spare tire off the car were on the ground behind the car?

Kneece: Im not sure I know that one of the tires was behind the car, I don't know what happened to the other one, I don't know, I think, I believe they threw it in the trunk, Im not sure.

Matlock: You know they took the spare out and put it in the car.

Kneece: Yea

Grant: You're not real sure it was the right rear or the left rear that come off the car

Kneece: I forget which one it was

Grant: It was a rear tire that came off the car

Kneece: Yes, it was a rear tire that came off I know that for a fact.

Grant: Is there anything else about any of this that you can tell us.

Kneece: No sir, not that I haven't already told.

Matlock: O.K. the information that you've given us, is the truth to your best knowledge?

Kneece: Yes sir

Matlock: We haven't promised you anything, or threatened you in anyway?

Kneece: No sir

Matlock: and you give us this statement of your own free will and accord?

Kneece: Yes sir

AIKEN COUNTY

PAUL D. GRANT

Sheriff

MEMBER OF NATIONAL SHERIFFS ASSOCIATION

P. O. BOX 462

AIKEN, SOUTH CAROLINA 29801

TELEPHONES: Office: 648-9581 Jail: 649-4481

C. H. HEMPHILL

CHIEF DEPUTY

Report of Investigator Bill Matlock
Criminal Investigation

Incident Type: Stolen Vehicle Recovery
Unlawful Burning
Missing Person

Incident Date: February 27, 1977

Incident Location: 1/4 miles from end of pavement on Banks Mill Road
Extension Wooded Area. (International Paper
Co. Land)

Weather: Rain

Complainant: Carl Richardson
2907 Poreu Drive
Aiken, South Carolina Phone 648-0869

Witnesses: Deputy Don Gray
Deputy Leon Hare
Investigator Bill Matlock
SLED Agent Paul Grant
Richmond County Investigator James Cadden
Richmond County Investigator Tom Perry

Investigation: On the above date and time Agent Grant and I went to the Six Points area and met with the above Richmond County Investigators and Deputy Hare and Deputy Gray. We were informed that a vehicle had been located in a wooded area, burned, that matched the description of a vehicle that Richmond County had received on a missing person's report on February 25, 1977. We then proceeded to the complainant's residence and he accompanied Agent Grant and me to a wooded area off Banks Mill Road, Aiken, S.C. The complainant stated that at approximately 09:00 Hrs. he arrived in the wooded area to go hunting and he observed the vehicle burned. He stated that he thought that it was an older model that had been discarded. He went closer to the vehicle and found it to be a late model. He returned home and called the Sheriff's Department. The Scene: Approximately 1/4 mile from end of pavement on Banks Mill Road traveling East on Banks Mill Road dirt section, Cole Creek area, a small dirt road to the left (North of Banks Mill Road) approximately 400 yards along dirt road. This vehicle was visible from Banks Mill Road Ext. approximately 200 Yards in the wooded area.

STATE'S
EXHIBIT

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000083

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On approaching the scene we observed a late model vehicle completely burned. The passengers door (right side door) was still in tact. The paint color on this door was a light blue. The VIN 2D37M5A115253 Pontiac 1975 Model, Ga. License LNH 663. We were informed by Richmond County Investigators that the vehicle was being operated by one Joyce Elaine Heinig of Augusta, Ga. They also stated that this subject had been reported missing on Friday morning, February 25, 1977, by Gary Mullis to the Richmond County Sheriff's Department. Observation: The vehicle was burned, interior was destroyed, engine burned, trunk burned. Three wheels and tires burned. Left rear wheel missing from vehicle, C.B. radio antenna missing from trunk. Spare tire missing from trunk. We found in the trunk of the vehicle what appeared to be a womans purse, burned, contents possibly checkbook, possible address book wire bound, pair of sizzors, lipstick, bottle of possible eye liner, a pair of octagon shaped wire rimmed glasses and an umbrella. All items burned. A search of the area revealed, a bumper jack and ban plate to the right of the vehicle, approximately 10 feet. Approximately 20 feet from the vehicle a plastic milk jug containing the odor of gasoline was located. Approximately 50 feet to the right of the vehicle the base section of a CB antenna was located. All items preserved as evidence, and processed by SLED. Photo's of the scene were taken by Richmond County Investigator Gene Johnson and turned over to me.

At approximately 20:45 Hrs. on February 27, 1977 Agent Grant and I went to the Richmond County Sheriff's Department and met with investigators we talked with one Gary Mullis: He stated that Joyce Heinig had been keeping his vehicle for approximately six months. He also stated that they had planned to be married on Saturday, February 26, 1977, in Aiken. He stated that the last time he saw Joyce Heinig was on Thursday, February 23, 1977, at approximately 19:00 Hrs. when she took him home from her trailer. He stated that he talked with Joyce on the phone at approximately 21:00 Hrs. He stated that she was approximately one month pregnant and they had reset the date of the marriage. Mr. Mullis stated that he normally had Joyce take him home just before dark so she could be home at dark. He stated that she had told him of the pregnancy on Monday and they agreed to get married on the following Saturday.

Mr. Mullis informed us that Joyce worked for Thompsom Company as a sewing machine operator, and had no enemies that he knew of. He also stated that she had no other boy friends that he knew of. Mr. Mullis told us that he had a spare tire in the rear of his vehicle and two lug wrenches, one regular type and one four way. He also stated that the vehicle had four new tires with raised white letters and four keystone mag wheels on the vehicle. Mr. Mullis informed us that the only person that may have a reason to hurt him or Joyce would be one Marvin Lively of Augusta, Ga. He stated that Marvin Lively was his Ex brother-in-law and that he (Mullis) was instrumental in breaking up the marriage between his sister and Lively. He stated that Lively had abused his sister and their three children and that he (Mullis) and Lively had altercation about the matter. He stated that Lively had threatened to get even with him.

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Page three

Mr. Mullis stated that Joyce was to pick him up at 06:00 Hrs. on Friday, February 25, 1977, and take him to work. Joyce had taken Friday, February 25, 1977 off from her job at Thompson Company so, that they could come to Aiken and obtain a marriage license. Mr. Mullis stated that he was awake and waiting for Joyce Heinig on Friday morning. He stated that he went outside and got the newspaper and read it until 06:15 Hrs. Joyce had not arrived at this time. He stated that he waited until approximately 06:30 and called his sister Cindy Joyner - who lives near Joyce and asked her to check and see if Joyce had left home. He stated that Cindy informed him that the vehicle was not in the drive of the trailer. He stated that he waited until 07:00 and Joyce had not arrived. He stated that he borrowed his grandmothers vehicle and drove the route that Joyce normally took to pick him up to see if she had problems with the vehicle. He stated that he went to Browns trailer park to the trailer Joyce lived in, she was not at the trailer. He stated that he went to the rear door of the trailer and took the bottom glass from the door and entered the trailer. He stated that the bed appeared to have been slept in and everything was in order. He stated that he checked the alarm clock and it was set for 05:15 Hrs. and the alarm was turned off. He stated that her watch was still on the night stand beside the bed. He also stated that there was no sign of a struggle inside the trailer.

Mr. Mullis was asked if he was sure that the baby Joyce was carrying belonged to him. He stated that it was.

Interview of Cindy Joyner: Brown's Trailer Park, Box 338 Old McDuffie Road, Augusta, Ga. 798-0401. Ms. Joyner stated that she last saw Joyce on Thursday night at approximately 9:30 P.M. when Joyce left her residence going home approximately 150 yards away. She stated that Joyce had told her that she was pregnant. She also informed us of Marvin Lively. (basically same information received from Mullis). She also informed us that she, Joyce and her sister Kathy Mullis, had been living together at Door Street in Belvedere, S.C. She stated that she knew of no one that had threatened or would hurt Joyce. She stated that Joyce appeared to be happy about the pregnancy and marriage. She stated that she went to the trailer with Gary Mullis. She stated that the bed was turned back as if some one had slept in it. She stated that the blouse that Joyce had been wearing the night before was found in the washing machine and a chicken had been taken out of the refrigerator, and she (Joyce) was to cook for her (Cindy) on Friday night. After talking with Cindy Joyner, we interviewed Mrs. Ann Heinig of Hepzibah, Ga. Phone 592-2063, who is the mother of Joyce Heinig. She could give no reason for the disappearance of her daughter. After talking with all subjects we informed them that the vehicle had been located in a wooded area burned, the mother became hysterical. Mr. Mullis showed no emotion. Cindy Joyner began shaking but made no comment. Mr. Mullis only statement was asking if he should notify his insurance company.

On March 1, 1977 Investigator Fields and I met with Richmond County Investigators Cadden, Johnson, Perry in Augusta, Ga. We interviewed several people at Thompson Company without obtaining any results. We

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contacted Mr. Mullis and advised him that a polygraph test would be administered at Johnson, Tank and Associates at 15:00 Hrs. If he would be willing to submit to the test. He stated that he would meet us at the location.

At 15:00 Hrs. March 1, 1977 we met Mr. Mullis at Johnson, Tank and Associates office on Green Street, Augusta, Ga. A polygraph test was administered to Mr. Mullis by James Johnson. After the test Mr. Johnson informed us that Mr. Mullis had lied on two occasions during the test. He stated that the test showed Mullis to have lied about telling the whole truth about the incident and that he lied about knowing the whereabouts of Joyce Heinig at the time of the test.

Investigation continuing.

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CLINICAL AND LABORATORY DATA

Case No: 04767

AUTOPSY NO: FA77-228

Joyce Heinig

REPORTED BY: _____

S. E. Conradi, M.D.

A 20 year old Caucasian woman was allegedly abducted on the South Carolina side of the Georgia border in Aiken County on the 25th of February, 1977 in the early morning hours. Her body was found in Lexington County, SC on the 4th of April, 1977 at about 11:50 P.M. A burning automobile had been discovered on the 25th of February in Aiken County about 45 miles from the location of the body. Within the trunk were a purse belonging to the deceased as well as personal effects.

STATE'S
EXHIBIT
#S 7-31-19

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04767

April 15

NECROPSY REPORT

Necropsy No. FA77-228

Name: Joyce Heinig

Age: 20

Sex: Female Race: Caucasian

Hospital:

Hospital Number

Service Aiken County Coroner

Clinical Attending:

House Staff:

Admitted:

Died: 2/25/77

Autopsied: 4/5 Hours P.M.: 40 days
9:30 AM

Type of Autopsy: Complete CNS Omitted Limited _____

Prosector(s): S. E. Conradi, M.D.

Clinical Diagnoses:

Decomposed nude female body found in woods.
Provisional Necropsy Diagnoses:

1. Marked decomposition.
2. Gunshot wounds (2) of head with perforation into cranial cavity.
3. Probable congenital hypoplasia of right kidney.

FINAL NECROPSY DIAGNOSES:

1. Marked decomposition.
2. Gunshot wounds (2) of head with perforation into cranial cavity.
3. Probable congenital hypoplasia of right kidney.

PROBABLE MANNER OF DEATH: HOMICIDE

Probable Cause of Death: GUNSHOT WOUNDS (2) OF HEAD

MEDCO 162

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000099

CROSS ANATOMICAL PROTOCOL

MEDICAL UNIVERSITY OF SOUTH CAROLINA

Case No: 04767

Autopsy No. -FAJ7-228----

Report by -----

Joyce Heindig

S. E. Conradi, M.D.

EXTERNAL EXAMINATION:

The body is that of a markedly decomposed Caucasian woman measuring about 5'6" in length. On the head and submitted separately is long dark blonde hair. The face is mummified with hard yellowish-brown skin. The nose is shrunken and mummified. The lips are partially present on the right and destroyed on the left. The entire right side of the face is better preserved than the left. The skin of the upper and lower abdomen and back is largely in place with mummified fingers. Numerous defects within the skin of the left chest and right chest are noted and there are numerous holes within the skin of the posterior thorax. Pubic hair is in place. The genitalia are not present. The right lower extremities is present but there is destruction of the left lower extremity skin with only the bones intact. However, both feet are intact. Buttocks are not present.

INJURIES:

Two gunshot wounds are identified. The wound identified as #1 is in the back of the head. The diameter of the external table of the skull wound is 0.28 inch. It shows internal beveling and fouling on its edge. The wound is 4.5 inches from the top of the head and 1.0 inch to the right of the midline.

A gunshot wound arbitrarily designated #2 is present within the left maxilla which shows a semi-circular scalloped area with border fouling. It measures 0.35 inch in diameter. The entrance wound is 7.3 inches from the top of the head and 1.8 inches to the left of the midline. Judging from fractures involving the olfactory plate, wound #2 appears to pass 30° to the right and upward 10° anterior to the coronal plane.

A separate defect possibly representing a third gunshot wound is present within the right orbital plate. The defect measures .3 inch in length and .25 inch in width and is squared off. It is 5.5 inches from the top of the head and 0.75 inch to the right of the midline. No wounds in the remaining portions of the body are identified.

INTERIOR OF THE BODY:

The usual Y shaped incision is made to reveal mummified skin of the thorax. The thoracic tissues are reflected from the underlying subcutaneous tissues. The muscles of the left chest, including the pectoralis muscles, are intact although pinkish in color. With

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GROSS ANATOMICAL PROTOCOL

MEDICAL UNIVERSITY OF SOUTH CAROLINA

Case No: 04767

Autopsy No. FA77-228

Report by -----

Joyce Heinig

S. E. Conradi, M.D.

removal of the chest plate, shrunken lungs and heart are identified. The abdominal organs are largely autolyzed. A shrunken mass of liver is present. The bowel is not present but stomach, pancreas, and spleen are identified. Pelvic organs are not identified. Both kidneys are present.

REVIEW OF SYSTEMS:

CARDIOVASCULAR SYSTEM: The heart weighs 100 grams. It is shrunken and flabby. Examination of the external surface reveals no abnormality. The coronary arteries appear to be normal and the endocardial surfaces are smooth. The valves are normally formed. Sections through the myocardium reveal no abnormality. The aorta is the seat of scattered yellowish atherosclerotic streaking but no other abnormality. Both renal arteries are of approximately the same size. No abnormality of the large veins or their tributaries are identified.

NECK ORGANS: The neck organs are not identified.

RESPIRATORY SYSTEM: The right lung weighs 160 grams and the left lung weighs 150 grams. The lungs are shrunken. A small portion of trachea and bronchi are identified and these are lined by reddish mucosa. Sectioning through the rubbery lung tissue shows no obvious abnormality.

LIVER: The liver is markedly autolyzed and shrunken weighing 340 grams. Sections reveal bubbly soft reddish-brown tissue. No abnormalities are identified. The gallbladder is not identified.

PANCREAS: A remnant of pancreas is present in the usual location and shows the usual lobular architecture.

SPLEEN: The spleen weighs 60 grams. Its capsular surface is smooth and has a grayish-purple color. On sectioning the spleen is softened and dark purple in color. A gray trabecular background is not identified nor are follicles identified.

GENITOURINARY SYSTEM: The right kidney weighs 10 grams and the left weighs 75 grams. The capsules strip with ease. The right kidney is markedly small, however, the anatomic structure on sectioning is grossly normal. The cortices and medullae are purplish in color. A partial ureter is noted on the left but can not be followed further than 5 centimeters.

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CROSS ANATOMICAL PROTOCOL

MEDICAL UNIVERSITY OF SOUTH CAROLINA

Case No: 04767

Autopsy No. FA77-228

Joyce Heinig

Report by _____

S. E. Conradi, M.D.

ADRENALS: A single right adrenal gland is identified and on section shows a bright yellow-orange cortex measuring less than 0.1 centimeter in thickness. The medulla is not identified.

HEAD: With removal of the calvaria, a bullet is retrieved from cheese-like brain tissue in the posterior fossa. The bullet is silver colored measuring 0.45 inch in length and 0.15 inch in width. It is markedly deformed and marked 228. It is delivered in person to the Aiken County Sheriffs Department. (Officer Matlock).

With removal of the brain tissue and dura, defects which have been described within the right orbital plate, the olfactory plate and the posterior fossae to the right of the midline are present. There is internal beveling of the posterior fossa wound. No other wounds to the calvaria are identified. No other projectiles are identified.

SEC/pch

4/6/77

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STATEMENT

FORENSIC PATHOLOGY CONSULTANTS
C/O Dept. of Pathology
MUSC, 80 Barre St.
Charleston, S.C. 29401

April 8, 19 77

Mr. J. L. Gregory

Aiken County Coroner

For Professional Services:

FA7 7-228	4/5/77	04767	Joyce Henig	\$125.00
			Dental autopsy	<u>35.00</u>
				\$ 160.00

PLEASE MAKE CHECK PAYABLE TO AND MAIL TO:
Forensic Pathology Consultants
Department of Pathology
MUSC, 80 Barre Street
Charleston, S.C. 29401

Attention: Ms. Mary Barrow

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April 18

Detective Byers.

This is the letter
confirming Joyce
Hearns' identification.
Please call me
if I can be of any
further assistance.

Paul H. Hildick
792-3541

COLLEGE OF DENTAL MEDICINE
DEPARTMENT OF ORAL MEDICINE
(803) 792-2101 / 2103



Medical University of South Carolina
80 BARRE STREET / CHARLESTON, SOUTH CAROLINA 29401

April 8, 1977

Dr. Sandra Conradi
Medical Examiners Office
Medical University of South Carolina
Charleston, South Carolina

RE: Re #FA77-228

Dear Dr. Conradi:

A comparison of the post mortem x-rays and charting with the ante mortem dental chart reveals that the chart and x-rays are identical with the exception that the ante mortem chart does not show a facial filling on the lower right 1st molar.

This could just be an omission by the victims' dentist.

The ante mortem bite wing x-rays were taken in December of 1975 and of course do not show all the restorations done after December 1975 as revealed on the post mortem charting and x-rays. However, the restorations on the antemortem x-rays do coincide in shape and teeth filled as on the post mortem x-rays.

It is concluded that the victim had more dental work done after December, 1975. It is felt that these exceptions are not important and that the ante mortem charting and post mortem charting agree in at least 16 different points.

Therefore, it is concluded without any doubt that the ante mortem and post mortem dental records are one and the same person.

Sincerely,

Julian W. Habercam
Julian W. Habercam, D.D.S.
Dental Consultant

JWH/jpe

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Aiken Standard

Aiken, South Carolina, Wednesday, April 6, 1977

Vol. 118 - No. 48 - 7 Sections - 24 Pages

15¢ Per Single Copy Telephone: 688-2211

Focus On
Provides Light
In Hard Season
See Page 6A

Let Her
Show Her Skill
Herself
See Page 6A

What To Do
With Leftover
Easter Food
See Page 1B



FLOWERS PLENTIFUL IN COLLEGE ACRES YARD

Hundreds of daisies in the yard of M. L. Hoffman in College Acres are in full bloom. Mr. Hoffman, who is becoming accustomed to the heavy flow of students this time of year, does it at 28 Chestnut Drive, on the west side of the town. (Staff Photo by Harry Hill)

Missing Since February Body Is Identified As Miss Heinig's

By FRANK BELL
Staff Reporter

A body found early yesterday in a wooded area in Laurens County has been positively identified as that of Miss Mary Ann Heinig, a 21-year-old woman who disappeared in February.

The body was found by a volunteer fireman on the edge of a wooded area near the town of Laurens. The body was found lying on its back, with its arms outstretched. The body was found in a wooded area near the town of Laurens. The body was found lying on its back, with its arms outstretched.

Miss Heinig was last seen on the night of Feb. 10, 1976. She was reported missing by her mother, Mrs. J. W. Heinig, of Laurens. She was last seen in the town of Laurens, where she was working as a waitress in a restaurant.

The body was found in a wooded area near the town of Laurens. The body was found lying on its back, with its arms outstretched. The body was found in a wooded area near the town of Laurens. The body was found lying on its back, with its arms outstretched.

What's Going On

Edwards' Gas Tax Plan Considered
COLUMBIA (AP)—The House today is expected to consider a bill to raise the state gas tax. The bill would raise the tax from 10 cents to 12 cents per gallon. The bill would also raise the tax on diesel fuel from 8 cents to 10 cents per gallon.

Car Sales Pass Million Mark
DETROIT (AP)—New car sales in the United States last year passed the million mark for the first time since 1965. Sales were up 10 percent from the year before. The increase was due to a combination of factors, including a strong economy and a decline in interest rates.

Bradley, Fowler Win Elections
By The Associated Press
New Bradley, the first Democrat to win the governorship since 1965, and Fowler, the first Republican to win the governorship since 1965, were elected in a close race. Bradley won by a narrow margin of a few thousand votes.

Sedat Pursues Economic Aid
WASHINGTON (AP)—Turkey's Prime Minister, Bülent Ecevit, is expected to visit the United States soon. Ecevit is expected to meet with President Carter and discuss economic aid for Turkey. Ecevit is expected to discuss the need for more aid to help Turkey's economy.

Show Flourishes In Great Lakes
By The Associated Press
A show of flourishes is expected to take place in the Great Lakes region. The show is expected to be a major event for the region and will attract thousands of people. The show is expected to be a major event for the region and will attract thousands of people.

Have You Heard?
Last November's election in South Carolina was a victory for the Democrats. The Democrats won the governorship and a majority in the legislature. The Democrats won the governorship and a majority in the legislature.

Appalachia Residents Race To Keep Back Raging Rivers



PHOTO BY AP/WIDEWORLD
FLOOD REFLECTS FROM FLOOD WATERS

Phonetic, 12, residents put their cars into railroad tracks and other high ground as Cumberland River swells in Tennessee.

At Least 32 Reported Dead

By The Associated Press

At least 32 people were reported dead in the destruction of a dam in Tennessee. The dam was destroyed by a massive flood that swept through the area. The flood was caused by heavy rains that fell over the region for several days.

Temperatures To Drop To Low 30s Tonight
After being in the 50s today, temperatures are expected to drop to the low 30s tonight. The drop is expected to be due to a cold front moving through the area.

Ordinance Saves Huber's Permits

By LEO BENTON
Staff Reporter

An emergency ordinance passed last night's Aiken County Council meeting will save the permits of Huber. The ordinance was passed in response to a request from Huber, who is a local business owner. The ordinance will allow Huber to continue his business operations.

Passes First Reading Council Backs Detention Home

By LEO BENTON
Staff Reporter

Aiken County took a big step yesterday in establishing a detention home. The council passed a resolution to build a detention home in the town of Aiken. The home is expected to be built in the near future and will provide a place for the county to house inmates.

Huber's Permits Saved
The council's decision to pass the ordinance will save Huber's permits. Huber is a local business owner who has been facing difficulties with the county. The ordinance will allow Huber to continue his business operations.

Detention Home Approved
The council's decision to build a detention home is a major step for the county. The home is expected to be built in the near future and will provide a place for the county to house inmates.

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STATE'S EXHIBIT
#9 7-31-19

Missing Since February

Body Is Identified As Miss Heinig's

By JEANE HALL
Staff Reporter

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A body found early yesterday in a wooded area in Lexington County has been positively identified as Joyce Marie Heinig of Augusta, who had been missing since Feb. 25.

A prisoner at the Aiken County Jail, Billy Wayne McIntosh, 19, 308 East Boundary St., Aiken, led law enforcement officials to the body, which lay unburied in an area off Highway No. 240, three miles off Interstate-20 in Lexington County.

While it was believed the body was that of Miss Heinig, this was not confirmed until dental records verified it late yesterday.

The death of the young woman, who was to be married the day after she disappeared, was caused by bullet wounds to the head, according to investigator Bill Mattlock of the Aiken County Sheriff's Department.

The death of Miss Heinig was thought at first to have occurred in Aiken County. However, it was learned late last night that it had taken place in Lexington County.

Any charges of murder will be brought by Lexington County authorities.

Aiken County, Lexington County and State Law Enforcement Division agents in South Carolina and Richmond County authorities in Georgia are all involved in the investigation.

It is believed Miss Heinig was abducted in Augusta while on her way to pick up her fiance, Gary C. Mullis, to take him to work.

They were to meet later and apply for a marriage license and be married the next day.

The victim was reported missing when she failed to pick up Mullis, something she had been doing each day for over a year. She drove Mullis' automobile home each day and returned the following morning to take him to work.

Mullis' car was found burned in a wooded area off Banks Mill Extension Road in Aiken County on Feb. 28. Nothing had been heard from Miss Heinig since that time.

McIntosh was being held in jail, charged with kidnapping, rape, assault and battery of a high and aggravated nature and housebreaking. These charges resulted from a young Aiken woman reporting to police that she had been abducted from her home on March 30 and taken to a wooded area near North Augusta where she was raped.

McIntosh and Eugene Kneece, 22, Rt. 3, Box 504, Aiken, were both arrested and charged in the incident within hours after it was reported to city police.

Kneece has been charged with kidnapping, housebreaking, and with being an accessory before and after the fact of rape and assault and battery of a high and aggravated nature.

Investigators say there is another suspect in Miss Heinig's death but declined to identify him.

Officials have declined to say if Miss Heinig was sexually molested or if the body was clothed when it was found.

What's Going On

Federal Prosecutor Assassinated

WASHINGTON (AP) — A federal prosecutor was assassinated in a drive-by shooting in the Washington area on Tuesday.

Guerrillas Claim Capture

LEONARD, LaSalle (AP) — Guerrillas in the mountains of Colombia have captured a U.S. soldier.

Aid Bill Language Too Strong

WASHINGTON (AP) — The House of Representatives on Tuesday passed a bill to provide aid to the people of Cambodia.

U.S. To Keep Hands Off Elections

WASHINGTON (AP) — The State Department says it is not planning to interfere in the elections in Cambodia.

Rhodes 'Shocked' Over Print Shop

WASHINGTON (AP) — Sen. J. Bennett Rhodes says he is "shocked" by the report that the House of Representatives is planning to fund a print shop in Cambodia.

Have You Heard?

...that the Communist and the Catholic groups of St. John's Methodist Church held a talk in the city of Aiken...

Inside Today

Irma Star... Bed Room CPR May Make A Difference Between Life, Death...

For Kneese, McIntosh

Murder Charges Added

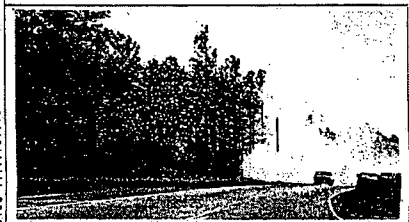


ALBANY, N.Y. (AP) — A federal grand jury on Tuesday added murder charges to the list of offenses against a man...

Aiken Standard

Vol. 119, No. 48 - 18 Pages Aiken, South Carolina, Thursday, April 7, 1977 16¢ Per Single Copy Telephone: 848-2311

Carter Policy May Endanger Future Of Barnwell Plant



BACKHOE SPARKS 13 FIRES A fire started by a backhoe behind the car on Highway 10 yesterday caused 13 fires, the biggest one burning over 17 acres.

Decision May Be Coming Soon

Press Staff and Wire Service The House of the Allied General Federation (AGF) has passed a resolution...

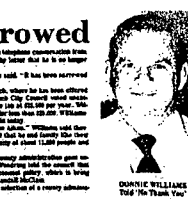
School Board Members Say Houston Trip Helpful

By JOHN GRANLEY Staff Reporter Improving the public's understanding of the school system...

Local Weather Predicted For Tonight Heavy rain is forecast for...

Williams Told 'No' Administrator List Has Narrowed

By LEO DENTON Staff Reporter Aiken County is apparently still weeks away from electing a permanent county administrator...



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STATE'S EXHIBIT #10 7-31-19

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AIKEN, S. C. 29801

For Kneece, McIntosh

Murder Charges Added

By JEANE HALL
Staff Reporter

Murder charges have now been lodged against two Aiken County men in connection with the death of a 19-year-old Augusta woman.

Allen Eugene Kneece, 22, Rt. 3, Box 504, and Billy Wayne McIntosh, 19, 308 East Boundary St., both of Aiken, were formally charged by the Lexington County Sheriff's Department yesterday.

"We've charged both of the men with murder," Lexington County Sheriff James Metts said this morning. "We are still investigating to see if charges will be brought against a third person."

The third person, who has not been identified, may also face charges in Aiken County in connection with the burning of the car being driven by Miss Joyce Marie Heinig on the day

she disappeared, Feb. 25.

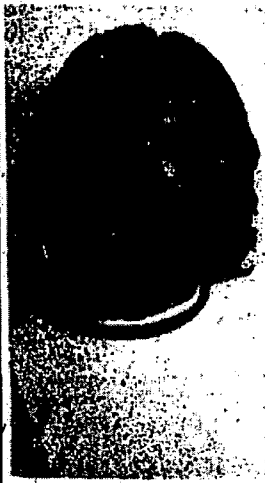
Miss Heinig was on her way to pick up her fiance and take him to work when she disappeared. Nothing further was heard from her until her body was found Tuesday. The burned car was found in Aiken two days after she was last seen.

"It is my understanding that McIntosh staged a fake automobile accident by bumping into her with his car bumper," Sheriff Metts said. "When she got out of her car, he forced her at gunpoint to get back into her car and they drove off."

Metts said it was Kneece who then drove the other car off. The victim was driven to a wooded area off Interstate-20 in Lexington County where she was shot. Her unclothed body was found after law enforcement officials were led to the spot by McIntosh.

McIntosh, already in the Aiken County Jail on charges of

(See COUNTY MEN, Page 18)



McINTOSH
In Custody



KNEECE
More Charges

...County Men Face Murder Charges

(Continued From Page 1)

rape and kidnapping in connection with an attack on an Aiken woman last week, asked to see a city detective, C.L. Edwards, on Monday night. Following this, McIntosh told Edwards and Investigator Bill Mattlock, who is with the Aiken County Sheriff's Department, where the body could be found.

An autopsy at the Medical University of South Carolina in Charleston verified the identification of Miss Heinig through dental work.

Miss Heinig's fiance, Gary C. Mullis of Augusta, had reported the victim missing. This touched off a missing per-

son's report plus a land and air search of the area where the burned car was found in Aiken County.

Mullis said in an interview with the Aiken Standard this week that if Miss Heinig were alive she would have contacted him or her parents. Her body was found a few hours after the interview.

Aiken County law enforcement officers, Richmond County law enforcement officers, along with agents from the State Law Enforcement Division (SLED), had spent many hours on the investigation prior to and following the discovery of the body, according to Virgil R. Wilkins, chief of staff services at the Aiken County Sheriff's Department.

Gets 2 Consecutive Life Terms

McIntosh Sentenced In Heinig Murder

By JOHN GRALLEY Staff Reporter
LAWYERS who have defended...
McIntosh was sentenced to two consecutive life terms...

McIntosh was sentenced to two consecutive life terms...
The judge said that McIntosh was a dangerous person...

McIntosh was sentenced to two consecutive life terms...
The judge said that McIntosh was a dangerous person...

McIntosh was sentenced to two consecutive life terms...
The judge said that McIntosh was a dangerous person...

What's Going On

Welfare Reform Hearings Set

WASHINGTON (AP) — The...
The hearings will focus on...

Secrecy Rules May Be Changed

WASHINGTON (AP) — The...
The rules would allow for...

Dock Talks To Get Serious

NEW YORK (AP) — Rep...
The dock is expected to...

Mrs. Scott Asks Court To Overturn Conviction

COLUMBIA — Attorney for...
Mrs. Scott is asking the...

Inside Today

The Maestro...
Aiken's First All-African...
Fall Freer...
Mama Filling The Family

Aiken Standard

Vol. 119, No. 197-2 Sections - 18 Pages
Aiken, South Carolina, Wednesday, September 14, 1977
16¢ Per Single Copy - Telephone 848-1131

Lance Says Attack Unfair; Raps Innuendo And Hearsay



He Doesn't Intend To Quit

By W. DALE HERSHMAN
Aiken, S.C. (Special to the Standard) — The...
Lance says he does not intend to quit...

SNAKE DEMONSTRATION

Dr. J. Whitfield Gibbons (left) of the...
The demonstration was held in...

Board Approves Budget

By JOHN GRALLEY Staff Reporter
The board of directors...
The budget was approved...

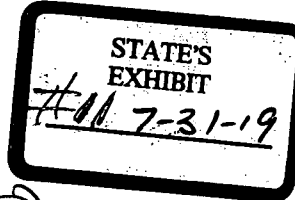
Cecil's To Build County \$1,452,000 Nursing Home

By W. DALE HERSHMAN Staff Reporter
Facing words of condemnation...
Cecil's is planning to build a nursing home...

By W. DALE HERSHMAN Staff Reporter
The board of directors...
The budget was approved...

Republicans To Vie In Council Primary

A row of five black and white portraits of men, likely candidates for the council primary. Below each portrait is a name and party affiliation:
1. R. L. ELLIOTT, OOP Independent
2. DANIEL F. BACH, OOP Independent
3. FRANKLIN W. DURBIN, OOP Independent
4. BASTING BYRAN, OOP Independent
5. WILLIAM L. LITTLE, OOP Independent



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Page Two - Aiken Standard, Aiken, S.C., Wednesday, September 14, 1977



Public Safety Director Busbee (right) and John Crumley talk during Aiken Police breakfast this morning. (Staff Photo by Henry Hill)

Public Safety Department More Efficient: Busbee

By PETER SPOWELL
Chief Director
The Aiken Public Safety Department is providing better police and fire protection and saving the city money, according to Chief Director Busbee, Director of the Department.
Busbee told the Aiken's Public Chamber of Commerce group this morning at the Aiken Inn that "Public Safety is efficient. It is efficient in the way it handles the public's needs. It is efficient in the way it handles the public's money. It is efficient in the way it handles the public's safety."
The city has been upgrading for some time with a goal of being the most efficient and cost-effective in the state, Busbee said. They all carry the title of public safety officers.
All records and communications between the two departments have been combined with the police and fire departments. Some of the advantages of the program are the increased efficiency of the police officers, the elimination of duplication of efforts in the department, a reduction in operating costs and a better caliber of personnel who are paid...

New Ellenton Extends Fire Limits

NEW ELLENTON, Fla. (AP) — The city council has approved a plan to extend the city's fire limits to include the area around the new airport. The plan was approved by a 5-2 vote of the council. The city council also approved a plan to extend the city's fire limits to include the area around the new airport. The plan was approved by a 5-2 vote of the council. The city council also approved a plan to extend the city's fire limits to include the area around the new airport. The plan was approved by a 5-2 vote of the council.

Big Discount's Two Big Events

1. Thursday we are introducing our "New Miss Mickey Ladies" Fall Lines to our Aiken and Broadway Streets, Peachtree, Shackle, Shackle, Moore's & Luster, June 15, 1977 and of prices that have made BIG DISCOUNT & MISS MICKEY SPORTSWEAR famous.
2. Thursday also starts the biggest price reduction SALE we've had in the "Columbus" at our new store. Lots of these values for your clothing and more.

- \$1.50 Shorts or Tank Tops
- \$1.99 Women's Sweaters Blouses
- \$1.77 Pull-on's, The Slacks, Short-sleeved & sleeveless blouses, Admitt' Top Blouses, Solid color Short-sleeved Blouses
- \$2.99 Blouse and Slacks sets, Patterned Blouses
- \$3.33 The Blouses, Patterned Tops, Short-sleeved or long-sleeved, Jean's, Knit Skirts
- \$4.00 Jumpers, Blouses, T-shirts, Pajamas, Quilted (Kings)
- \$4.64 Jean's Slacks
- \$5.00 Plain Front Pantsuits
- \$6.00 Princess Front Pantsuits

MISS MICKEY BIG DISCOUNT **MISS MICKEY SPORTSWEAR OUTLET**
1000 Ave. at St. Pauline Aiken (100-095)
Edgett & Chevrolet R.E. September 14-20-1977

... Cecil's To Build Nursing Home

(Continued From Page 14)
The Cecil's group is planning to build a nursing home for the elderly in the city of Aiken. The group is led by Cecil's, a local business. The group is planning to build a nursing home for the elderly in the city of Aiken. The group is led by Cecil's, a local business. The group is planning to build a nursing home for the elderly in the city of Aiken. The group is led by Cecil's, a local business.

Belk

Hanes & Beautiful Sale

September 9-17

Alize support pantyhose \$100 off
support stockings 70¢ off

Free Gift Book by Eileen Ford head of famous model agency with each Alize purchase

SHOP FRIDAY 10 A.M. - 9 P.M. / OTHER DAYS 10 A.M. - 7 P.M.
USE YOUR CONVENIENT CHARGE CARD

... McIntosh Sentenced

(Continued From Page 14)
The court sentenced McIntosh to a term of imprisonment for a crime. The court sentenced McIntosh to a term of imprisonment for a crime. The court sentenced McIntosh to a term of imprisonment for a crime. The court sentenced McIntosh to a term of imprisonment for a crime.

Community Calendar

- 9:30 a.m. - Aiken Bible for Women
- 10:00 a.m. - Aiken Bible for Men
- 10:30 a.m. - Aiken Bible for Children
- 11:00 a.m. - Aiken Bible for Youth
- 11:30 a.m. - Aiken Bible for Seniors
- 12:00 p.m. - Aiken Bible for All
- 1:00 p.m. - Aiken Bible for Families
- 2:00 p.m. - Aiken Bible for Singles
- 3:00 p.m. - Aiken Bible for Couples
- 4:00 p.m. - Aiken Bible for Friends
- 5:00 p.m. - Aiken Bible for Neighbors
- 6:00 p.m. - Aiken Bible for Strangers
- 7:00 p.m. - Aiken Bible for Everyone

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Gets 2 Consecutive Life Terms

McIntosh Sentenced In Heinig Murder

By JOHN SHARKEY
Staff Reporter

LEXINGTON-Billy Wayne McIntosh, 19, of Aiken, was sentenced to two consecutive life terms after being convicted in Lexington County General Sessions Court yesterday for the murder of a young Augusta woman.

After deliberating for about 45 minutes, the six-man, six woman jury convicted McIntosh of the Feb. 25 kidnaping and shooting death of Joyce Marie Heinig, a 20-year-old Augusta woman.

McIntosh stood between his two attorneys as Circuit Judge Rodney Peebles sentenced him, saying, "I'm not too sure you don't deserve the same sentence as Miss Heinig." The death

sentence could not be imposed because South Carolina did not have capital punishment when the murder occurred.

The Aiken teenager took the stand yesterday, the second day of the trial, and testified that he and co-defendant Eugene Kneece had been bar-hopping in the Aiken area during the late hours of Feb. 24 and the morning of Feb. 25. McIntosh said he had been drinking heavily, smoking pot and had also taken pain pills before passing out.

He said he did not remember leaving Aiken on the morning of Feb. 25, but woke up in a wooded area off Interstate-20 in Lexington County. He said before he passed out he was in another car with Kneece driving, but when he woke up he was in a car later identified as Miss Heinig's.

McIntosh said Kneece forced him at gunpoint to carry Miss

Heinig's body out of the trunk of the 1974 LeMans and dispose of it. He never accused Kneece of the murder, but he said he repeatedly asked Kneece what had happened and got no response from him.

His voice cracking, McIntosh told Lexington County Public Defender H. Patterson McWhirter how he helped Kneece with the body and how he pleaded with him to tell him how she was killed.

Kneece, 22, pleaded guilty to accessory after the fact of kidnaping and murder on Monday. He will be sentenced Thursday and the maximum penalty for each charge is 10 years. He testified against McIntosh yesterday, implicating him in the murder.

McIntosh also said he, Kneece, and another defendant, Mike

Wilson of Aiken, later burned Miss Heinig's car in a wooded area in Aiken County. He said he did it because he knew his fingerprints were on parts of the car.

Wilson had been out drinking with Kneece and McIntosh the night of Feb. 24, but went home before the pair picked up Miss Heinig. He is charged with accessory after the fact of kidnaping and murder.

Miss Heinig's burned car was found in Aiken County on Feb. 27. On the evening of April 4, McIntosh led Aiken County Sheriff's Department investigators to her body. He was in Aiken County Jail on an unrelated charge at the time and he testified yesterday that he confessed to the murder because

(See MCINTOSH, Page 18A)

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... McIntosh Sentenced

(Continued From Page 1A)

he wanted authorities to find the body even if it meant implicating himself.

McIntosh said yesterday that after he and Kneece left the body in Lexington County they drove to Columbia where they eventually split up at the Dutch Square Shopping Mall parking lot.

He said he wanted to get away from Kneece at first but then began looking for him. He said he saw Ms. Cathy Sipes, 29, an intake officer with the S. C. Department of Youth Services, and she offered to drive him back to Aiken. He said he had met Ms. Sipes on a few occasions when he was a juvenile inmate.

Ms. Sipes had testified earlier that McIntosh forced her to make two round trips to Aiken before releasing her on the third trip. She said he was looking for someone he was supposed to meet. Ms. Sipes also said she did not swear out a warrant against the Aiken youth because she was not harmed and did not want to go through court proceedings.

According to Kneece, McIntosh bumped into the rear of Miss Heinig's auto and when she got out of her car, he forced her back into it and drove it to McIntosh's mother's house. After following McIntosh to his mother's house, Kneece said he, McIntosh and Miss Heinig drove to Lexington County to a wooded area off of Interstate 20.

He said McIntosh and the young woman were gone for about a half-hour before he heard three gunshots. Kneece said McIntosh returned carrying Miss Heinig's clothing and said, "she didn't suffer."

The State

Served By *Washington, Piedmont, Pee Dee and West Carolina Bureaus*

Section B

Tuesday, September 13, 1977

Page One

Detective Says Man Confessed Killing

By **ROLLY GATLING**
Staff Writer

Billy Wayne McIntosh, a slender 19-year-old law enforcement officer, killed Joyce Heining, then led them to her nude, decomposed body ditched in a wooded area of Lexington County, a detective testified Monday.

Chuck Edwards, an Aiken City Police Department detective, said McIntosh contacted him around 11 p.m. April 17, he said he had something he wanted to get off his chest. It turned out to be a confession to the Feb. 23 abduction and shooting death of Miss Heining, 20, an Augusta, Ga., woman

who was to be married the next day. Edwards said Miss Heining's body was found in a wooded area of Aiken County and almost six weeks after she was killed.

Two days later, Miss Heining's 17 1/2-pound body was found in a wooded area of Aiken County and almost six weeks after she was killed.

The Aiken teenager's confession to murder and kidnapping began Monday afternoon in Lexington County General Sessions Court before the trial's co-defendant, Allen Kneese, 23, also of Aiken, pleaded guilty to kidnapping and accessory to the murder. He will be sentenced later.

The man, sliver, McIntosh, 5'10", collar-length brown wavy hair, full between his two ears and periodically jotted notes in a yellow legal notebook as Edwards and others testified. Edwards said he was on vacation when McIntosh called him to home from the Aiken County Jail where McIntosh was lodged pending charges unrelated to Miss Heining's death.

Edwards said he and State Law Enforcement Division SLED Agent Paul A. Grimes met with McIntosh in the Aiken County Sheriff's Department investigation unit where McIntosh said he had killed Joyce Heining.

Edwards said he told him, "I know you did it." McIntosh then described how he helped Miss Heining, an Atlanta bride-to-be, to escape from her home in the South Carolina Georgia area and forced her to go down to the woods near Aiken County.

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DSS Contract To Be Amended

By **MARGARET N. OSHEA**
Governmental Affairs Staff

A disputed contract between the office of Gov. James B. Edwards and the State Department of Social Services (DSS) will have to be amended, but the federal government doesn't expect the document to be scrapped.

Suspension of the contract had been one solution initially proposed by DSS Interim Commissioner Robert D. Floyd when informed the U.S. Department of Health, Education and Welfare (HEW) had major questions about the document on grounds it implied duplicate funding and improper delegation of authority.

But Floyd also indicated the questions could likely be settled without tearing out the welfare agency's agreement with Edwards' office for monitoring and evaluation of services to the state's poor and near-poor under Title XX of the Social Security Act.

Several amendments were worked out Monday in a session among representatives of both in-state parties and regional HEW personnel, leaving only one point for legal counsel to Edwards and DSS to debate. The Aiken meeting was closed to the public and press, in line with internal administrative and confidentiality rules.

Sources close to the negotiators said HEW personnel indicated the contract will require revisions, primarily linguistic changes, but once those are made the contract will eliminate appearances of duplicate funding in some other areas, the governor's office will apparently have to

(See TITLE XX, p. 1-B, C-4)

Body Found In Broad River

STATE'S EXHIBIT
#12-7-31-19

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The State

Served By Washington, Piedmont, Pee Dee and West Carolina Bureaus

Section B •

Wednesday, September 18, 1977

Page One

Illegal Search, Seizure Cited

In-Horry Obscenity Case

MYRTLE BEACH — A municipal judge here has ruled the booklets of the Fifth Circuit Solicitor's Office for using illegal search and seizure techniques in making an obscenity case against a local grocer.

In a preliminary hearing Sept. 8, Judge William A. Little ordered charges be dismissed against Vernon Weatherford, an employee of the Cash Grocery on North Avenue, Myrtle.

Little also ordered that magazines seized from the grocery be returned to the defendant Weatherford. The magazines seized were the July, 1977 issues of Playboy and Penthouse and the August 1977 issues of Esquire, Oil and Cadillacs.

The magazines seized were among those seized by the Horry County Grand Jury in July.

According to the judge's summary of the case, on July 6, Willie Green, an investigator for Solicitor J. M. Lewis Jr., and Myrtle Beach Police Sgt. James Thomas went to the grocery.

While Weatherford was out of the store on an errand, Green and Thomas began grabbing up magazines the grand jury had called obscene and putting them in grocery carts. Weatherford came back in the store and was arrested after Green and Thomas told him what they were doing there.

"I find in this case that the search in question was made prior to and not incidental to the defendant's arrest, that it was without his consent, and that the evidence upon which the charge must be based was not seized plain view," Judge

Little said.

"It's difficult to try a case that's 10 years old," said Assistant Fifth Circuit Solicitor John McIntosh. "We need to be change of the plea to felony manslaughter if the judge will give the maximum penalty. Thirty years is the same as a life sentence anyway. In both you can be

the search in question was made prior to and not incidental to the defendant's arrest, that it was without his consent, and the evidence upon which the charge must be based was not within plain view.

—Judge William A. Little

Ex-Columbian Sentenced In 1971 Holdup Killing

A former Columbia resident was sentenced Tuesday to thirty years in prison after he pleaded guilty to killing drug addict Walter Carlisle Kennedy Jr. during a robbery here six years ago.

While "Nec" Porterfield, 23, pleaded guilty to voluntary manslaughter rather than stand trial on a murder charge.

Fifth Circuit Judge David Harwell Florence sentenced Porterfield to maximum ten-year probation for a year, thirty years in prison.

"It's difficult to try a case that's 10 years old," said Assistant Fifth Circuit Solicitor John McIntosh. "We need to be change of the plea to felony manslaughter if the judge will give the maximum penalty. Thirty years is the same as a life sentence anyway. In both you can be

paroled after ten years," McIntosh said.

Porterfield fell down after the killing and using the alias Willie Green, he began living in Newark, N.J., police said. He had to finish a 20-month sentence there for possession of heroin before being returned to South Carolina in June of this year to stand trial.

Kennedy, 33, was working in the Varn Drug Store at 2254 Taylor St. at 7 p.m. on Dec. 8, 1971 when two men walked in. One pulled a gun and the men demanded money.

A clerk told police Kennedy pointed toward the cash register and said, "There it is; go ahead and take it." The clerk said after the men grabbed the cash, one turned around and shot Kennedy.

Porterfield's accomplice in the

McIntosh Convicted Of Murder

Billy Wayne McIntosh, 19, was convicted Tuesday in Lexington County General Sessions Court of kidnapping and murdering Augusta Co. resident Joyce Marie Henning, a 26-year-old bride-to-be.

Circuit Judge Rodney Peoples sentenced McIntosh, an Alkon County native, to two concurrent life sentences and said afterward, "I'm not sure there are any who deserve the same sentence as Joyce Henning."

McIntosh was convicted of the Feb. 23 murder and could not receive the death penalty because South Carolina did not have capital punishment at the time of the crime.

robbery, Harry Taylor, 28, made a deal in 1972 with then Columbia Detective Capt. Harry Sawyer and then Solicitor John Foard. McIntosh said in return for turning state's evidence against Porterfield, Taylor would get a seven-year sentence, the minimum sentence for armed robbery.

Taylor helped police find the pistol used in the robbery, and gave other evidence against Porterfield. He told police the money taken was used to buy six or seven bags of heroin.

Taylor will be sentenced soon to his seven years in prison.

"I want to wait a week or two until we find out where Porterfield will be serving his sentence," McIntosh said.

"I don't want these two together in the same cell or in the same prison or I might lose one of them."

The six-man, six-woman jury deliberated less than an hour after hearing two days of testimony including that of McIntosh who said he was passed out drunk on liquor, marijuana and pain pills when Miss Henning was kidnapped near the Georgia-South Carolina line and shot to death in a wooded area of Lexington County.

McIntosh, a slender teen with collar-length brown hair, implicated a co-defendant, Eugene Kneese, in the murder but he did not actually accuse him.

Kneese, 22, pleaded guilty to accessory after the fact of kidnapping and murder, and testified against McIntosh Tuesday. He will be sentenced Thursday.

Kneese's version of the murder differed on a number of points from the confession McIntosh made to investigators April 8 and recanted during the trial which began Monday afternoon.

The prosecutors, fifth Circuit Solicitor Donald V. Myers and Assistant Solicitor Cam Littlejohn, pegged their case heavily on the testimony of Kneese and Capt. Cathy Spies, another of McIntosh's abduction victims. Mr. Spies, an officer with the S.C. Department of Youth Services, was abducted from the Dutch Square shopping center parking lot on the evening of Feb. 23.

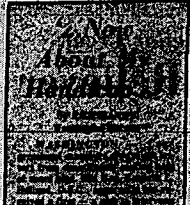
Kneese said he and McIntosh had spent the night of Feb. 24 and the early morning of Feb. 25 drinking in an Alkon bar. They left the bar around 5 a.m. and drove around until McIntosh saw a blue Pontiac LeMans, and said, "That's the car," Kneese said.

He said McIntosh deliberately bumped into the rear of the LeMans and when Miss Henning got out to check the car, McIntosh forced her to get into her car, which he then drove.

Kneese said he followed the two in McIntosh's vehicle to McIntosh's mother's house where they left the vehicle and took continued to travel in Miss Henning's car.

They proceeded to Lexington County on I-26 and pulled off the interstate into

(By MCINTOSH, S.B. Col. 1)



Billy Wayne McIntosh, 19, was convicted Tuesday in Lexington County General Sessions Court of kidnapping and murdering Augusta Co. resident Joyce Marie Henning, a 26-year-old bride-to-be.

McIntosh, a slender teen with collar-length brown hair, implicated a co-defendant, Eugene Kneese, in the murder but he did not actually accuse him.

Kneese, 22, pleaded guilty to accessory after the fact of kidnapping and murder, and testified against McIntosh Tuesday. He will be sentenced Thursday.

Kneese's version of the murder differed on a number of points from the confession McIntosh made to investigators April 8 and recanted during the trial which began Monday afternoon.

The prosecutors, fifth Circuit Solicitor Donald V. Myers and Assistant Solicitor Cam Littlejohn, pegged their case heavily on the testimony of Kneese and Capt. Cathy Spies, another of McIntosh's abduction victims. Mr. Spies, an officer with the S.C. Department of Youth Services, was abducted from the Dutch Square shopping center parking lot on the evening of Feb. 23.

Kneese said he and McIntosh had spent the night of Feb. 24 and the early morning of Feb. 25 drinking in an Alkon bar. They left the bar around 5 a.m. and drove around until McIntosh saw a blue Pontiac LeMans, and said, "That's the car," Kneese said.

He said McIntosh deliberately bumped into the rear of the LeMans and when Miss Henning got out to check the car, McIntosh forced her to get into her car, which he then drove.

Kneese said he followed the two in McIntosh's vehicle to McIntosh's mother's house where they left the vehicle and took continued to travel in Miss Henning's car.

They proceeded to Lexington County on I-26 and pulled off the interstate into

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EXHIBIT
State's
#137-31-19

44

McIntosh Convicted Of Murder

Billy Wayne McIntosh, 38, was convicted Tuesday in Lexington County General Sessions Court of kidnapping and murdering Augusta, Ga. resident Joyce Marie Heining, a 20-year-old bride-to-be.

Circuit Judge Rodney Peoples sentenced McIntosh, an Aiken County native, to two concurrent life sentences and said afterward, "I'm not too sure you don't deserve the same sentence as Joyce Heining."

McIntosh was convicted of the Feb. 23 murder and could not receive the death penalty because South Carolina did not have capital punishment at the time of the crime.

The six-man, six-woman jury deliberated less than an hour after hearing two days of testimony including that of McIntosh who said he was passed out drunk on liquor, marijuana and pain pills when Miss Heining was kidnapped near the Georgia-South Carolina line and shot to death in a wooded area of Lexington County.

McIntosh, a slender teen with collar-length brown hair, implicated a co-defendant, Eugene Kneece, in the murder but he did not actually accuse him.

Kneece, 22, pleaded guilty to accessory after the fact of kidnapping and murder and testified against McIntosh Tuesday. He will be sentenced Thursday.

Kneece's version of the murder differed on a number of points from the confession McIntosh made to investigators April 5 and recanted during the trial which began Monday afternoon.

The prosecutors, U.S. Circuit Solicitor Donald V. Nye and Assistant Solicitor Cam Littlejohn, pegged their case heavily on the testimony of Kneece and Capt. Gary Sipes, another of McIntosh's abortion victims. Mr. Sipes, an officer with the S.C. Department of Youth Services, was abducted from the Duke Square shopping center parking lot on the evening of Feb. 23.

Kneece said he and McIntosh had spent the night of Feb. 22 and the early morning of Feb. 23 drinking in an Aiken bar. They left the bar around 3 a.m. and drove around until McIntosh saw a blue Pontiac LeMans and said, "That's the car," Kneece said.

He said McIntosh deliberately bumped into the rear of the LeMans and when Miss Heining got out to check the accident, McIntosh forced her, gun point, back into her car, which he then drove.

Kneece said he followed the two in McIntosh's vehicle to McIntosh's mother's house where they left the vehicle and both continued to travel in Miss Heining's car.

They proceeded to Lexington County on 120 and pulled off the interstate into

(See MCINTOSH, P. 1, Col. 1)

entenced Killing

McIntosh robbery Harry Taylor, 28, made a deal in 1972 with then Columbia Detective Capt. Harry Shipes and then Solicitor John Foard. McIntosh said, in return for turning state's evidence against Porterfield, Taylor would get a seven-year sentence, the minimum sentence for armed robbery.

Taylor helped police find the pistol used in the robbery and gave other evidence against Porterfield. He told police the money taken was used to buy six or seven bags of heroin.

Taylor will be sentenced soon to his seven years in prison.

"I want to wait a week or two until we find out where Porterfield will be serving his sentence," McIntosh said.

"I don't want those two together in the same cell or in the same prison. We might lose one of them."

45

McIntosh

(Continued From 1-B)

a wooded area where McIntosh forced Miss Heining out of the car and disappeared with her for approximately a half an hour, Kneece said.

While he was waiting, he said he heard three gunshot blasts in rapid succession before McIntosh, carrying Miss Heining's clothing, returned to the car.

Kneece said McIntosh told him "She didn't suffer."

They then drove to Columbia and sold the CB radio in Miss Heining's car for \$25, purchased gas and food and rode around most of the day, ending up in the Dutch Square parking lot later that evening.

Kneece said he and McIntosh talked for a while until McIntosh spotted a woman entering a tan Volkswagon. He approached her, forced her into the passenger side and drove off. Kneece said he followed the two until he lost McIntosh.

The woman later identified as Capt. Sipes, an attractive 29-year-old, testified Tuesday she spent a "bizarre" night with McIntosh who made two round trips from Columbia and Aiken, then a third trip to Aiken where he released her to drive home.

Capt. Sipes said McIntosh asked her twice during the evening if she wanted to see some dead bodies and warned her not to become hysterical.

He said he had abducted women before and that they got hysterical and he had to make them be quiet. "I made up my mind I was not going to cry or do anything to get upset," Capt. Sipes testified.

At one point McIntosh offered to take her to her apartment and leave with her car, but he only drove by the apartment entrance and asked the how it felt being able to see where I lived and not be able to go there," she said.

McIntosh did not deny driving with Capt. Sipes, but claimed she offered him a ride after Kneece left him in the shopping center lot.

McIntosh said he knew

Capt. Sipes from his tenure at the S.C. Department of Youth Services where he served time as a juvenile for assault.

McIntosh's version of the story was that after he, Kneece and a third co-defendant, Mike Wilson, who has not been tried, left the Aiken bar, they took Wilson home and Kneece then drove McIntosh's car.

McIntosh said he had been drinking wine and smoking marijuana before he took four pain pills and washed them down with rum.

He said he passed out and remembers nothing until he woke up in a different car in a wooded area of Lexington County, he said. Kneece dragged Miss Heining's body from the trunk of the car, then forced him at gunpoint, him to help carry the body further into the woods.

His voice cracking with emotion, McIntosh said he wanted to take Miss Heining to a hospital, but Kneece refused.

He said when he questioned Kneece about what happened, Kneece would only say "It's better that you don't know."

McIntosh said he eventually confessed because he wanted the police to know where the body was even if he had to take the blame for murder.

Prosecutors introduced a letter into evidence in which McIntosh wrote to Kneece asking him to change his story to say the murder occurred in Aiken County, rather than in Lexington. McIntosh claimed Kneece threatened him and forced him to write the letter.

He also said he had taken a 50-milligram Librium, a tranquilizer, after he showed investigators where to find the body and was still under the influence of the drug when he gave a tape-recorded confession the next day.

He said Kneece forced him and Wilson to burn Miss Heining's car the day after the murder to destroy fingerprints. Wilson is charged with accessory after the fact in kidnapping and murder.



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Books



Missing Since February

Body Is Identified As Miss Heinig's

By JEANE HALL
Staff Reporter

A body found early yesterday in a wooded area in Lexington County has been positively identified as Joyce Marie Heinig of Augusta, who had been missing since Feb. 25.

A prisoner at the Aiken County Jail, Billy Wayne McIntosh, 19, 308 East Boundary St., Aiken, led law enforcement officials to the body, which lay unburied in an area off Highway No. 240, three miles off Interstate-20 in Lexington County.

While it was believed the body was that of Miss Heinig, this was not confirmed until dental records verified it late yesterday.

The death of the young woman, who was to be married the day after she disappeared, was caused by bullet wounds to the head, according to Investigator Bill Mattlock of the Aiken County Sheriff's Department.

The death of Miss Heinig was thought at first to have occurred in Aiken County. However, it was learned late last night that it had taken place in Lexington County.

Any charges of murder will be brought by Lexington County authorities.

Aiken County, Lexington County and State Law Enforcement Division agents in South Carolina and Richmond County authorities in Georgia are all involved in the investigation.

It is believed Miss Heinig was abducted in Augusta while on her way to pick up her fiance, Garv C. Mullis, to take him to work.

They were to meet later and apply for a marriage license and be married the next day.

The victim was reported missing when she failed to pick up Mullis, something she had been doing each day for over a year. She drove Mullis' automobile home each day and returned the following morning to take him to work.

Mullis' car was found burned in a wooded area off Banks Mill Extension Road in Aiken County on Feb. 28. Nothing had been heard from Miss Heinig since that time.

McIntosh was being held in jail, charged with kidnapping, rape, assault and battery of a high and aggravated nature and housebreaking. These charges resulted from a young Aiken woman reporting to police that she had been abducted from her home on March 30 and taken to a wooded area near North Augusta where she was raped.

McIntosh and Eugene Kneece, 22, Rt. 3, Box 504, Aiken, were both arrested and charged in the incident within hours after it was reported to city police.

Kneece has been charged with kidnapping, housebreaking, and with being an accessory before and after the fact of rape and assault and battery of a high and aggravated nature.

Investigators say there is another suspect in Miss Heinig's death but declined to identify him.

Officials have declined to say if Miss Heinig was sexually molested or if the body was clothed when it was found.

(5)

(5)

EXHIBIT
State's
#14 7-31-19
FENGAD 800-631-6888

Two Aiken men charged with Heinig's murder

AUGUSTA, Ga. (AP)—"She was to pick me up on Friday and take me to work. She didn't have to work that day, and we were coming to Aiken to get a marriage license," said Gary C. Mullis of Augusta of the disappearance of Joyce Marie Heinig Feb 25.

Miss Heinig, also of Augusta, never arrived at the Byrd Oil Co. in Augusta where Mullis worked. The burned automobile she was driving was found three days later in a wooded area of Aiken County, S.C.

Tuesday, a body was found in

a wooded area of Lexington County, S.C., and law enforcement officers confirmed that it was Miss Heinig.

The 19-year-old woman had been shot in the head.

Lexington County Sheriff James Metts announced Wednesday that two Aiken men—Allen Eugene Kneece, 22, and Billy McIntosh, 19—had been charged with her murder.

Metts said investigators learned that McIntosh had picked up Miss Heinig and had driven her to the area of Lexington County where her body was found.

"He staged a fake accident by bumping into her with his bumper. When she got out, he forced her at gunpoint back into her car and drove off," Metts said.

Authorities said McIntosh had given investigators information on where the body could be found. He and Kneece were being held in the Aiken County jail on unrelated charges at the time Miss Heinig's body was found. Metts said another person may be charged in the crime later.

Mullis, 26, who had been dating Miss Heinig for a year and a half, said before it was revealed that Miss Heinig's body had been found that he had searched for her and had reported her missing.

"The authorities tried to convince me that she had just gotten wedding jitters," he said. "But I know better."

He said she had gone shopping the night before she disappeared and purchased a nightgown and some other items for the wedding.

"If she were planning to run away from the wedding she wouldn't have bought the gown," he said.

"I hope she's found alive. I still want to marry her," he had said.



Our Little Miss winners

Winners in the Greenwood Regional Our Little Miss Pageant Saturday evening in the Greenwood High School auditorium were, left to right: Kristi Herin, 6, daughter of Mr. and Mrs. Ronnie Herin of Greenwood, Greenwood Regional Miss La Petite, Greenwood Regional Our Little

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EXHIBIT
State's
#15 7-31-19
PENGAD 800-631-6869

Edwards: McIntosh Called To Confess To Murder

LEXINGTON — An Aiken youth charged in the shooting death of an Augusta woman confessed to the murder and kidnaping in April, according to testimony given by an Aiken City Police Department detective.

Det. Chuck Edwards of the Aiken City Police Department testified that Billy Wayne McIntosh, 19, told him on April 4 that he abducted and killed Joyce M. Heinig, 20, of Augusta.

Miss Heinig was reported missing on Feb. 25. Her body was found on April 5 in an area off Highway 240, three miles off Interstate 20 in Lexington County. She died from a gunshot wound to the head.

Lexington County authorities charged McIntosh with murder and kidnaping. Before his trial began in Lexington County General Sessions Court yesterday, his co-defendant, Allen Kneece, 22, of Route 3 Box 504, Aiken, pleaded guilty to kid-

naping and accessory after the fact of murder. Circuit Judge Rodney Peebles postponed sentencing.

McIntosh was in the Aiken County Jail in early April on unrelated charges when he led authorities to Miss Heinig's body.

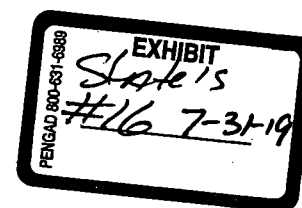
Edwards said he was on vacation when McIntosh called him at home from the jail and asked Edwards to meet with him.

The detective also testified that when he and State Law Enforcement Division (SLED) Agent Paul A. Grant Jr. met with McIntosh, the Aiken teen-ager confessed to the killing.

Edwards said McIntosh then described how he abducted the young Augusta woman and later shot her three times.

He said McIntosh confessed to abandoning Miss Heinig's body in Lexington County and driving her car back to Aiken County where he burned it.

The trial was to continue today.



McIntosh Sentenced In An Assault Case

By JOHN SHARKEY
Staff Reporter

An 18-year-old Aiken man was sentenced to 10 years in prison after he pleaded guilty to assault and battery of a high and aggravated nature yesterday, in the last day of a four-day term of General Sessions Court.

Billy Wayne McIntosh received the maximum 10-year sentence from Third Circuit Judge Dan F. Laney Jr. McIntosh originally requested a trial, but soon after a jury was selected, he entered the guilty plea.

The charge stemmed from the beating of a 24-year-old Aiken woman in March. The woman received a broken jaw and other injuries as a result of the beating.

McIntosh is also charged with murder in Lexington County in connection with the shooting death of Joyce M. Heinig, 20, of Augusta.

Other sentences given by Judge Laney for guilty pleas entered Thursday included

Frank Tucker, 27, five years for housebreaking, concurrent with a three-year sentence he is now serving; Larry Bonnette, 33, 15 years for breaking into a motor vehicle and grand larceny, concurrent with a four-year term he is now serving; Laverne Geter, 22, six months or \$300 for shoplifting; William D. Hamlet, 26, 18 months, suspended upon service of three months and three years probation for resisting arrest, and three months for shoplifting, concurrent sentence.

Also, Bernie Oliphant, 23, 10 years, suspended upon service of five years with five years probation for accessory after the fact of armed robbery; Richard B. Stewart, 23, six months or \$500 for each of two charges of possession of unlawful drugs, consecutive term. Stewart was also sentenced to six months for possession of marijuana, suspended on service of 18 months probation.

The next term of General Sessions Court is scheduled to begin Sept. 12.

STATE'S EXHIBIT
#17 7-31-19

BWM
12-10-20

Page 10-A · Aiken Standard, Aiken, S.C., Wednesday, September 14, 1977



Busbee (right, center) and John Chesser talk during Aiken Police Board's breakfast this morning. (Staff Photo by Larry Hill)

Public Safety Department More Efficient: Busbee

By PETER O'BRYEN
The Aiken Public Safety Department is providing better police and fire protection and saving the city money, according to J. Carl Busbee, director of the department. Busbee said the Aiken Police Board of Commissioners passed the morning of the Board's last meeting, "Public Safety delivers the most efficient and best value for the money of any department in the city."

New Ellenton Extends Fire Limits

NEW ELLENTON - Five police officers have been ordered to patrol the new fire limits of the town. The town has a fire insurance policy for \$100,000. The town has a fire insurance policy for \$100,000. The town has a fire insurance policy for \$100,000.

Big Discount's Two Big Events

1. Thursday we are introducing our "New Miss Mickey Sports" Fall Line in our Aiken and Batesville stores. Plus 10% off. Black, Blouse, Skirt, Pant, & Ladies' Jeans in styles and of fabrics that have made **BIG DISCOUNT'S MISS MICKEY SPORTSWEAR** famous.
2. Thursday also starts the biggest price reduction sale we've had on the "Miss Mickey" of summer merchandise. Look at these values for your starting outfit:

\$5.50	Shorts or Tank Tops
\$1.49	Rhoda Lee Sleeveless Dresses
\$1.99	Pull-on A-Tie Slacks, short-sleeved & sleeveless shirts, Angel-Top Blouses, Solid color short-sleeved Blouses
\$2.99	Blouse and Skirt sets, Pocket style Blouses
\$2.33	Tie Blouses, Plaided Tops, Short-sleeved Blouses, Jean's Skirts
\$4.00	Jumpsuits, Bedspreads, Ties, Pail, Quack, King's Slacks
\$4.44	Plain Front Pantsuits
\$5.00	Princess Front Pantsuits
\$6.00	

Miss Mickey **BIG DISCOUNT MISS MICKEY SPORTSWEAR OUTLET**
Hampden Ave. at Six Paths Aiken (548-3955)
Edgefield & Greenwood Rds. between (278-2265)

... Cecil's To Build Nursing Home

(Continued From Page 1A)
They group submitted applications for the construction and were being reviewed for a decision from the state. Cecil's is the owner of the site. The group will own and operate the facility. The project will have to be approved by the state. Cecil's is the owner of the site. The group will own and operate the facility. The project will have to be approved by the state.

Belk

Hanes Alive & Beautiful Sale

September 9-17

Buy support pantyhose \$1.00 off
Buy support stockings 70¢ off

Free Gift Book by Eileen Ford head of famous model agency with each Alive purchase

SHOP FRIDAY 10 A.M. THRU 9 P.M./OTHER DAYS 10 A.M. THRU 6 P.M.

USE YOUR CONVENIENT CHARGE CARD

... McIntosh Sentenced

(Continued From Page 1A)
McIntosh was sentenced to 180 days in jail for the same offense. He was also fined \$1,000. The judge said that McIntosh had a long criminal record. He was also fined \$1,000. The judge said that McIntosh had a long criminal record.

Community Calendar

TODAY
8 p.m. - Knights of Columbus, 1000 Highway 170
8:30 p.m. - Valley A.A., Our Lady of the Valley Church, Greenwood
9 p.m. - Kiwanis Club, Riverside Inn
10 p.m. - Aiken Planning Commission, 1000 Highway 170
11 p.m. - Aiken Chess Club, Riverside Inn
11:30 p.m. - Duplicate Bridge, Riverside Casino Club

MONDAY
8:30 a.m. - Aiken Bible Church, Riverside Inn
9:30 a.m. - Aiken A.A., 113 South St.
10:30 a.m. - Aiken, 113 South St.

WEDNESDAY
10 a.m. - Aiken Bible Church, Riverside Inn
11:30 a.m. - Aiken A.A., 113 South St.
10:30 a.m. - Aiken, 113 South St.

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EXHIBIT
State's
#18 7-31-79
PENNS 800-831-8300

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... McIntosh Sentenced

(Continued From Page 1A)

he wanted authorities to find the body even if it meant implicating himself.

McIntosh said yesterday that after he and Kneece left the body in Lexington County they drove to Columbia where they eventually split up at the Dutch Square Shopping Mall parking lot.

He said he wanted to get away from Kneece at first but then began looking for him. He said he saw Ms. Cathy Sipes, 29, an intake officer with the S. C. Department of Youth Services, and she offered to drive him back to Aiken. He said he had met Ms. Sipes on a few occasions when he was a juvenile inmate.

Ms. Sipes had testified earlier that McIntosh forced her to make two round trips to Aiken before releasing her on the third trip. She said he was looking for someone he was supposed to meet. Ms. Sipes also said she did not swear out a warrant against the Aiken youth because she was not harmed and did not want to go through court proceedings.

52 According to Kneece, McIntosh bumped into the rear of Miss Heinig's auto and when she got out of her car, he forced her back into it and drove it to McIntosh's mother's house. After following McIntosh to his mother's house, Kneece said he, McIntosh and Miss Heinig drove to Lexington County to a wooded area off of Interstate 20.

He said McIntosh and the young woman were gone for about a half-hour before he heard three gunshots. Kneece said McIntosh returned carrying Miss Heinig's clothing and said, "she didn't suffer."

Legislature must 'knuckle down' to end 1977 session by mid-May

By AL LARSEN
Special Staff Writer
GREENWOOD, S.C. (AP) — The South Carolina Legislature must "knuckle down" and get its business done in the next few weeks if it is to meet its constitutional obligation to adjourn by May 15, 1977.

Two Aiken men charged with Heinig's murder

GREENWOOD, S.C. (AP) — Two men from Aiken County were charged with the murder of a 23-year-old woman in a Greenwood hotel last week.

Our Little Miss winners

Winners in the Greenwood Regional Little Miss Pageant Competition were announced last night at a banquet at the Greenwood Hotel.

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CAN OTHER STEAK HOUSES PASS IT?

- Is their meat U.S.A. grade choice?
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- Is it served with the best service?
- Is it served with the best atmosphere?
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- Is it served with the best quality?
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- SLACKS 32-40 \$3.99
- BLOUSES (Long Sleeve) 8-20 \$3.99
- BLOUSES 8-18 \$2.99
- SWEATER TOPS (Long Sleeve) \$2.99
- SHELLS \$2.99
- VEST & SLACK SETS \$6.50
- PANT SUITS (3 pc.) \$7.00
- PANTSUITS (2 pc.) \$6.00
- ALL WEATHER COATS \$8.00
- VINYL COATS \$8.00
- JUMPSUITS \$7.75
- SLACKS (Fitted) \$9.95

Best of **Spring**



- Slacks 6-18 \$3.99
- Slacks 32-40 \$4.99
- Tank Tops \$2.99
- Pancho Tops \$3.99
- Blouses \$4.99
- Bow Tie Blouses \$5.99
- Pantsuits (2 pc.) 6-18 \$9.95
- Pantsuits (2 pc.) 32-22 \$10.95
- Pantsuits (2 pc.) \$16.95
- Shells \$3.99
- Blue Jeans \$9.95

By Pass 72 (located in front of Sky City Shopping Center)
Tel. 223-6924

EXHIBIT
State's
#19 7-31-19
PENGAD 800-681-8888

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Body found in wooded area in Lexington

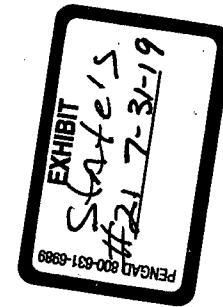
COLUMBIA (AP)—A badly decomposed body found in a wooded area of Lexington County was identified Tuesday night as 20-year-old Joyce Ann Heinig of Augusta, who disappeared on the day before she was to be married.

A spokesman for the Aiken County Sheriff's Department said an autopsy at the Medical University of South Carolina in Charleston confirmed the identity of the woman.

Miss Heinig was to have picked up her fiance, Gary G. Mullis, 26, of Augusta, on Feb. 25, but she reportedly never arrived. Mullis' car, a 1975 Pontiac Lemans, was found burned two days later in the Cold Creek area of Aiken County. Miss Heinig had been driving it when she disappeared.

The spokesman said Billy Wayne McIntosh, 18, who was held in the Aiken County jail in connection with another incident, gave investigators information which led to the discovery of the body in the woods off S.C. 204 and I-20.

Miss Heinig had been shot in the head and stripped of all clothing and jewelry.



Inside Today



Mining Finance

Mullis: It's A Mystery To Me

MULLIS, 50, says there are no answers as to why he was fired from his position as president of the Aiken County Board of Education...



Aiken Standard

Tip Leads Police To Body; May Be That Of Miss Heinig



Tip Aids Discovery

A tip from a local resident led police to the discovery of a body in a wooded area near a road...

Lightning, Hail Force Plane Down

A small plane was forced to land in a field after being struck by lightning and hail during a storm...

Psychiatrists, PTA's, Churches Upset Over Television Violence

Local groups including psychiatrists, PTA's, and churches are expressing concern over the increasing violence on television...

What's Going On

Send Warn U.S. Arms Aid

Senators warn that U.S. arms aid to South Africa could have serious consequences...

Bill (Admission Dispute) Passes

A bill regarding admission disputes has passed through the legislative process...

Capitol Expected To Sign Bill

It is expected that the U.S. Capitol will sign a bill related to the current legislative agenda...

Congress Must Vote On Pay Raise

Congress is required to vote on a pay raise for its members...

County Warns Men Not Arms

County officials warn men not to bring arms to certain public events...

Have You Heard?

A section providing local news and community information.

EXHIBIT State's #23 7-31-19 PENGAD 800-601-6989

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Missing Fiancee

Mullis: It's A Mystery To Me

(EDITOR'S NOTE: Gary Mullis was interviewed yesterday at his home in Augusta, Ga., prior to a body being found in Lexington County that could be that of Miss Joyce Marie Heinig.)

By JEANE HALL
Staff Reporter

AUGUSTA — "It's a mystery to me!"

So said Augusta's Gary C. Mullis in discussing his missing fiancee, Miss Joyce Marie Heinig.

Miss Heinig, also of Augusta, has been missing since Feb. 25, the day before her intended wedding to Mullis. On Feb. 28, a hunter found the automobile being used by Miss Heinig in a wooded area off Banks Mill Road in Aiken County. The automobile was burned, and there was no sign of the driver.

"You know, her glasses frames, her shoes and a part of her coat were found in the trunk of the car," Mullis said. "But no sign of her."

While not saying outright that he thinks his fiancee is dead, Mullis said that if she were alive she would contact him or her parents.

Miss Heinig, whose 20th birthday will be next month, and Mullis, 26, had been dating for 1 1/2 years. They attended Augusta Tech together.

Mullis said that for over a year, Miss Heinig has been keeping his car at night and picking him up for work the next day. He works at the Byrd Oil Company in Augusta, and she was employed at the Thomson Company in Martinez.

"She was supposed to pick me up on Friday and take me to work," Mullis said. "She didn't have to work that day, and we were coming to Aiken to get a marriage license."

Mullis said they had planned to come back to the Aiken County Courthouse on Saturday, pick up the license and get married.

"We were coming over to Aiken early Saturday because I think they close at the courthouse at noon," he said.

The Aiken County Courthouse is closed on Saturday. A spokesman at the courthouse said pre-arrangements for a wedding on Saturday can be made.

Mullis said that when Miss Heinig failed to pick him up that Friday, he called his sister, Cindy Joyner, who lives near the trailer once occupied by Miss Heinig, and asked her to see if the car was still there. It was not, according to Mullis.



GARY MULLIS
Fiancee Missing

(See DISAPPEARANCE, Page 2)

(25)

...Disappearance

(Continued From Page 1)

"I got my grandmother's car and drove to Martinez to see if for some reason she had gone on to work," he said. "The car was not there either."

Mullis said he then drove the route Miss Heinig would have taken on her way to his house.

"I thought maybe she had car trouble," he said. "I didn't find her, so I went on to work."

Mullis said he left work at 10 a.m. and reported Miss Heinig missing.

"The authorities tried to convince me that she had just gotten wedding jitters," Mullis said. "But, I know better."

Mullis said Miss Heinig had gone to a local shopping center the night before and had purchased a nightgown plus some other items for the wedding.

"If she were planning to run away from the wedding she wouldn't have bought the gown," Mullis said.

Mullis also said if Miss Heinig planned to leave she would have taken some of her clothing.

"We went to her trailer, and all of her clothes were there," he said. "Her contact lens and other pairs of glasses were in the trailer."

Mullis said the engagement ring he had given Miss Heinig was not in the trailer but the companion wedding ring was.

Mullis, who said he had moved his clothing into the trailer in preparation to living there after the wedding, said nothing was missing.

"An awning in front of the trailer was broken on one side and a bottle of her make-up was lying in a tire track in front of the trailer," he said.

Mullis expressed the belief that more than one person had taken Miss Heinig away from the trailer as she came out the door to get in the car.

"She was about five feet seven inches tall and weighed about 120 pounds," he said. "But she was strong. It would have taken more than one person to make her go with them."

Mullis also pointed out what he believes to be another reason that more than one person is involved in the disappearance of Miss Heinig.

"Someone had to drive my car to the area it was found, and someone had to drive another car to pick up the person driving mine," he said.

Mullis said two of the tires, the spare and another, were missing from the car.

Mullis said authorities have suspected he has something to do with Miss Heinig's disappearance.

"They gave me two polygraph tests, and I flunked both of them," he said.

Mullis said he was nervous and upset at the time.

"I took the test voluntarily," he said. "but I won't take any more."

Mullis said he had witnesses who could testify to his whereabouts during the hours Miss Heinig must have first become missing.

"I last saw her on Thursday evening," he said. "Then, she visited my sister after that until about 9 p.m."

Mullis said as far as he knows, his sister was the last person to see Miss Heinig before she disappeared.

"She always blew the car horn when she passed my sister's in the morning on her way to pick me up," Mullis said. "That Friday, she didn't blow."

All of Mullis' and Miss Heinig's belongings have been moved from the trailer. The burned automobile has been sold for scrap, and the insurance company has paid for the car loss.

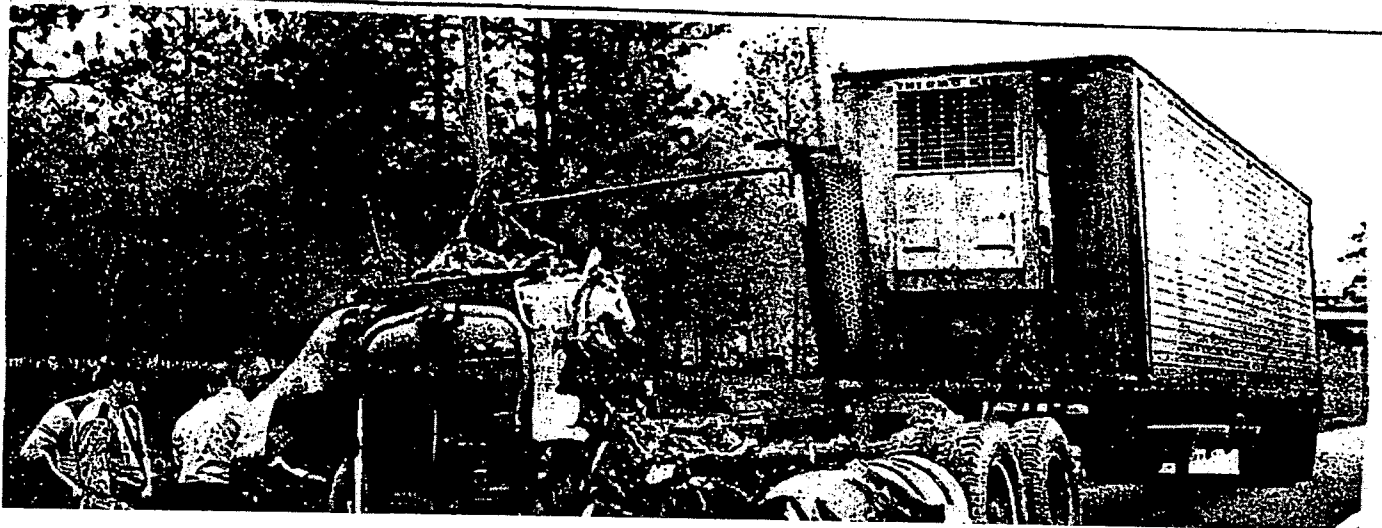
But Miss Heinig is still missing. No trace of her has turned up since she saw Mullis' sister on Thursday.

Authorities still have a missing person's report out on Miss Heinig, and the burning of the automobile is still under investigation.

"I hope she's found alive," Mullis said. "I still want to marry her."

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Tip Leads Police To Body; May Be That Of Miss Heinig



Tip Aids Discovery

By JEANE HALL
Staff Reporter

A partially decomposed body was found in a wooded area in Lexington County early today which could possibly be that of an Augusta woman who has been missing since Feb. 25.

Joyce Marie Heinig of Augusta has been missing since her boy friend's car was found burned in an area off Banks Mill Road Extension.

No trace of her had been uncovered until this body was found today.

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Following information received by the investigators with the Aiken County Sheriff's Department, members of the department, agents with the State Law Enforcement Division (SLED) and officers from the Aiken Public Safety Department went to the area and found the body.

The body was found off of Highway No. 240, three miles off Interstate-20, according to investigator Jack Fields.

Fields said the body was taken to the Medical University of South Carolina at Charleston for identification and to find the cause of death.

Fields said it has not been officially determined whether the body was a male or female. Results of the autopsy are expected today or tomorrow.

Officials declined to discuss the body in connection with any specific unsolved case but speculation is that the body could be that of the missing Augusta woman, who lived in a mobile home park on Old McDuffie Road

An automobile, belonging to Miss Heinig's fiance, Gary C. Mullis, also of Augusta, and being driven by Miss Heinig, was found burned in a wooded area off Banks Mill Road on Feb. 28. While some of Miss Heinig's clothing was found in the car, no body or evidence of one was discovered in the area.

Miss Heinig has been the object of a missing person's search since that time.

She and Mullis were to have been married the day following her disappearance.

Asked if they have a suspect, officials declined to answer.

"We can do nothing until this body is identified," Fields said.

Fields would not speculate on whether it could be the body of Miss Heinig. He said the department was hoping for an identification soon.

A land and air search of the area where the burned car was found was made for several days following the discovery of the car to no avail.

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