

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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APPEAL FROM LEXINGTON COUNTY

SC Court of Appeals

COURT OF COMMONS 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

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FILED

SOUTH CAROLINA

LEXINGTON

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IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

Wayne McIntosh, #8774

LISA M. COMER

CLERK OF COURT

LEXINGTON SC

Case No.: 2018-CP-32-02764

Plaintiff,

v.

State of South Carolina,

Defendant.

ORDER
(NON-JURY)

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.

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,

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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" and #7

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

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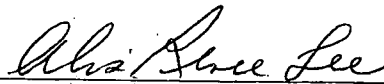
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registration. Plaintiff failed to establish by a preponderance of the evidence that he did not commit a sexual offense or an attempted sexual offense on the Victim.

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
Presiding Judge

Columbia, South Carolina
April 3, 2020

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1 State of South Carolina)
2 County of Lexington)
3 Billy Wayne McIntosh,)
4 Plaintiff,)
5 vs.)
6 State of South Carolina,)
7 Defendant.)
8 _____)
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In the Court
Of Common Pleas
Case No.: 2018-CP-32-02764

Transcript of Record

ORIGINAL

July 31, 2019

Lexington, South Carolina

BEFORE:

The Honorable Alison Renee Lee, Judge

APPEARANCES:

Billy Wayne McIntosh, Pro se
Plaintiff

Harley Kirkland, Assistant Attorney General
Wesley Vorberger, Assistant Attorney General
T. Parkin Hunter, Assistant Attorney General
Attorneys for the Defendant

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1 Thereupon, the following proceedings were had,

2 BAILIFF: All rise. Court's in session. The
3 Honorable Alison Lee presiding Judge.

4 THE COURT: Good morning, everyone. Thank you. Be
5 seated.

6 MS. KIRKLAND: Good morning.

7 MR. McINTOSH: Good morning.

8 MR. VORBERGER: Good morning.

9 THE COURT: We're here on docket number
10 2018-CP-32-02764, Billy Wayne McIntosh versus the State
11 of South Carolina. Mr. McIntosh, you're representing
12 yourself today; is that correct?

13 MR. McINTOSH: Yes, ma'am, as best I can.

14 THE COURT: All right. And on behalf of the State
15 is Harley Kirkland; is that correct?

16 MS. KIRKLAND: Yes, ma'am.

17 THE COURT: And?

18 MR. VORBERGER: Wesley Vorberger here, Your Honor.

19 THE COURT: What was the last name?

20 MR. VORBERGER: Vorberger with a V. I can spell it
21 if you like.

22 THE COURT: I've got it.

23 MR. VORBERGER: All right.

24 THE COURT: And also Parkin Hunter.

25 We're here on an action that was filed by

1 Mr. McIntosh relating or seeking information or
2 declaration that he's not required to be registered or
3 listed as a sexually - as a sex offender based upon some
4 convictions that occurred in 1977 as I understand it.
5 And so since this is non jury, we've got some formalities
6 but, Mr. McIntosh, I'll give you the opportunity to
7 present any evidence that you have and if you would like
8 to testify, you certainly may.

9 In addition, if you've got any exhibits, just make
10 sure that the State has a copy of the exhibit and I'll be
11 happy to consider those as well. And then, of course,
12 I'll give the State the opportunity to put up any
13 evidence that it wishes to put up as well.

14 Mr. McIntosh, you'll have the opportunity to cross
15 examine any witnesses, if the State has any witnesses,
16 and I'll give you an opportunity to make any statements
17 or comments in response to the evidence that the State
18 might have against your request. Any questions you have?

19 MR. MCINTOSH: Yes, ma'am. For the record, I'm not
20 -- Define the State's burden in this matter.

21 THE COURT: The State doesn't have a burden. You
22 have a burden. It's your action that you filed and as I
23 understand it's a civil action so you would have the
24 burden by the preponderance of the evidence to
25 demonstrate that the information that you want, that I

1 understand that you've been convicted of kidnapping as
2 well as murder and because of the kidnapping charge
3 there's a provision in the state law that requires that
4 unless there's a finding by the Court that it's not
5 sexual allegations or the kidnapping didn't, did not
6 involve a sexual offense or attempted sexual offense,
7 that unless there's a finding by the Court to that
8 effect, then those individuals who've been convicted of
9 kidnapping would be subject to having to register as a
10 sex offender and that could very well affect where you
11 are housed within the Department of Corrections. Any
12 other questions?

13 MR. McINTOSH: 43 years ago I was convicted of the
14 kidnapping and murder of Joyce Marie Heinig of Augusta,
15 Georgia. The victim was a 20 year old female. Her body
16 was recovered nude along side Interstate 20 here in
17 Lexington County off Highway 204. At the time of that
18 crime I was under the influence of alcohol and drug and
19 my memory was distorted. I had come forward originally
20 and confessed to the crime. My understanding through my
21 family and the police department that I would receive a
22 sentence of 15 to 30 years. Said I committed the crime.
23 Committed by myself. I made up a story that kept the
24 crime in Aiken County where I had a deal. My story was
25 parts of what I remembered as well as the need to keep it

1 in Aiken County. Subsequent to the confession my
2 co-defendant in another case was questioned and stated he
3 was with me when I committed the crime, but he did not
4 know beforehand that I was going to do it nor why I had
5 done it. The statement that he yield is questionable.
6 It was definitely self serving. During cross examination
7 in court many aspects of it were proven to be untrue and
8 it boiled down as far as innocence or guilt to hand of
9 one, hand of all, and the voluntary intoxication law.
10 The prosecutor said neither defendant denies being
11 present when she was kidnapped. Neither defendant denies
12 being present when she was killed. And it doesn't matter
13 who kidnapped her, who killed her or how she was killed,
14 hand of one, hand of all.

15 Basically, Your Honor, they had nothing but my
16 fabricated confession saying that I did it. My
17 co-defendants fabricated confessions saying that I did
18 it. I agreed to be hypnotized in order to sort out my
19 memory. My lawyer in Lexington County found out about it
20 and filed a motion of restraint and prevented it and from
21 that point all investigation was terminated by the Aiken
22 County Sheriff's Department and the State Law Enforcement
23 Division and what little Lexington County had done. This
24 crime didn't happen in Lexington County. I had one
25 statement, an incident report from Detective Russell



1 Byers and Lieutenant Badgett that stated that Aiken
2 County authorities told him that they believed they could
3 determine whether or not the body was killed where it was
4 found because I had stated I reloaded the gun, that
5 there's no reports that any casings were found and the
6 gun that they identified was the murder weapon.

7 THE COURT: Mr. McIntosh, let me stop you for a
8 moment. Are you planning on testifying? Because if this
9 is what you consider to be your testimony relating to
10 this matter, I would need to put you under oath.

11 MR. MCINTOSH: Yes, ma'am. I apologize to the
12 State. I'm an inexperienced pro se litigant.

13 THE COURT: That's okay. I just want to make sure
14 that I understand so if --

15 MR. MCINTOSH: I - I - I disagree with the need to
16 be classified as a sex offender. After talking to
17 counsel, they're standing on the basis that the victim
18 was female and the body was nude. They stated that alone
19 has sexual connotations to it or is a sexual component.
20 Legally I think context matters. Circumstantial evidence
21 is an inference and it has to be taken in context, Your
22 Honor. This is a legal argument. This is not testimony.

23 If you walk into a hospital and you see a body nude,
24 you do not automatically conclude there was a sex
25 offense. If you walk into a coroner's office and see a

1 body nude, you do not automatically conclude there was a
2 sex offense. Context matters. And in this case we
3 cannot provide appropriate context other than the body
4 was nude and I'm saying without any other evidence that
5 indicates there was a sex offense or an attempt to commit
6 a sex offense, I shouldn't have to register as a sex
7 offender. It should not be stated that the crime
8 included a sex offense. The law is problematic. The
9 evidence because it is incomplete, one sided, I cannot
10 show it being contested. I cannot contest it at this
11 point. I cannot use the Freedom Of Information Act to
12 gain information because the State has lost, prohibited
13 inmates from doing that. I cannot locate witnesses, take
14 depositions, subpoenas. I'm helpless. Reading the
15 State's information, the only thing I found that alludes
16 to inappropriate sexual conduct was an interview by
17 Lexington County Sheriff James Metts. It - it just -
18 it's appalling.

19 Anyway, to quote the article, he says I'm in his
20 jail. He received me from Lexington County where I was
21 detained under an assault, a kidnap, an abduction and
22 rape charge. He says that according to an inmate that I
23 was in the cell with, I was confused as to whether or not
24 the body they had was the one they were looking for. He
25 said that I was under investigation for the murder of a

1 woman in Florence County and he also said that he wanted
2 to talk to me about another body he believed was buried
3 in the county. This man connects me to three or more
4 murders in the context of me being a sex offender. The
5 statements he made were irresponsible and other than the
6 statement about Florence County was wrong.

7 MR. VORBERGER: Your Honor --

8 MR. MCINTOSH: This here seems to have ignited the
9 suspicion of a sex offense and led to further speculation
10 in the media. There was no evidence in any of the
11 reports by any of the police officers alleging any
12 inappropriate conduct. There was no testimony at trial
13 alleging inappropriate conduct.

14 MR. VORBERGER: Your Honor, if he - it feels like
15 he's testifying here. If we can get him under oath or
16 something. It's not just law. These are facts that he's
17 contesting so as you mentioned putting him under oath. I
18 don't know if we should keep doing this.

19 MR. MCINTOSH: I agree, Your Honor, since I don't
20 know what I'm doing.

21 THE COURT: All right. So if you'll just come
22 forward, please, sir. Bring any documents or any
23 information you need.

24 MR. MCINTOSH: I may need everything but... Your
25 Honor, I really don't want to waste Ms. Kirkland's time



1 or the Court's. They was kind enough to come back there
2 and tell me what they're doing and why they're doing it.
3 I think I understand what's going on and it's not a
4 matter of proof. It's simply a matter of whether or not
5 I need to be a sex offender, whether or not I'm a sex
6 offender and need to be registered.

7 Thereupon,

8 BILLY WAYNE McINTOSH

9 after having been first duly sworn, testified as follows,

10 THE CLERK: Please have a seat. Once you're seated,
11 state your full name for the record.

12 THE WITNESS: My name is Billy Wayne McIntosh.

13 EXAMINATION BY THE COURT

14 DIRECT TESTIMONY BY BILLY WAYNE McINTOSH

15 BY THE COURT:

16 Q. And, Mr. McIntosh, you've already mentioned that
17 you've been charged and convicted of murder and kidnapping --

18 A. Yes, ma'am.

19 Q. -- back in 1977 --

20 A. '77.

21 Q. -- is that correct?

22 A. 43 years ago.

23 Q. And again, you are here relating to the State
24 seeking to have you to register as a sex offender or include
25 that designation as associated with you and your case and your

1 remaining time in the Department of Corrections; is that
2 correct?

3 A. Yes, ma'am. The law automatically labels me a sex
4 offender and registration is automatic. I filed a motion in
5 opposition to it asking the Court to review the record and
6 issue a ruling that it didn't include a criminal sexual
7 offense or an attempt to commit a criminal sexual offense. I
8 have since come to understand that the matter here is whether
9 or not the crime had a sexual component or sexual connotations
10 to it.

11 Q. Yes, sir.

12 A. Even after coming to understand that and looking at
13 all of the evidence, I still feel that it - it's - it's not
14 judicially sound just to say because the body was nude that
15 there is a sexual component or sexual connotations. Context
16 matters. I was sober or at least reasonably sober when this
17 victim's clothes were removed. I know why we removed them. I
18 know that they were returned to the car and burned along with
19 the car to destroy evidence. I know that she was dead when we
20 removed the clothes, and apparently according to what memory I
21 have had been dead since sometime during the night or early
22 morning hours and this was daylight approximately 9:30 or
23 10:00 a.m.

24 But anyway, the only thing I can say on my own
25 behalf is that I didn't commit a sex offense. I'm not sure

1 what happened or why it happened. We can speculate and that
2 probably is not the appropriate thing to do is to speak
3 against people who can't defend themselves, but look at the
4 evidence, Your Honor. There's no allegations of sex offense.
5 In the newspaper articles my co-defendants reportedly
6 testified at trial that I got out of the car with the girl,
7 walked her down in the woods, I was in the woods about 30
8 minutes, he heard three shots, I returned to the car with the
9 victim's clothes and stated, don't worry, she didn't suffer.

10 In another report that he told Lexington County
11 Deputy Russell Byers that I had been in the woods with her a
12 few minutes, he heard three shots, and a few minutes later I
13 returned to the car with the victim's clothes and said, she
14 didn't suffer. In the courtroom, though, he, like I said, he
15 kept changing his statement. He's clearly fabricating or
16 speculating or something as to that incident. My testimony
17 was that it didn't happen like that at all and there's no way
18 to reconcile the differences. Was he telling the truth or was
19 I telling the truth? Ma'am, we were both lying. You know, we
20 were both lying. I took the blame. I was willing to go to
21 jail for him and everybody else and when he implicated
22 himself, he done what he thought was necessary to get out of
23 it and by me pleading not guilty and forcing the jury to go to
24 trial on it, it gave him the opportunity to testify against me
25 and avoid going to prison with a life sentence too.

1 I just don't know what else to say. It seems unfair
2 that I'm here. I can't defend myself. And I don't even know
3 whether I'm entitled to defend myself. It definitely doesn't
4 seem like due process of the law. It doesn't seem like the
5 State has to prove anything. The evidence that the State has
6 appears to be hearsay, inadmissible under some circumstances.
7 Like I said, I can't defend myself, ma'am.

8 Q. Mr. McIntosh, you did enter a plea; is that correct?

9 A. I pled not guilty to the charge.

10 Q. You pled not guilty. So was there a trial?

11 A. Yes, ma'am.

12 Q. Okay. That's what I was confused about. So there
13 was an actual trial in which evidence was presented throughout
14 the course of the trial?

15 A. Yes, ma'am. There was five police officers who
16 testified at trial. They only have a record of one police
17 officer testifying. There were two more witnesses who
18 testified. They don't have a record at all of that. There's
19 no record of all the other stuff they learned in their
20 investigation because the Augusta Police Department was
21 involved, Aiken County Sheriff's Department, State Law
22 Enforcement Division. I don't think Lexington County did
23 anything other than report what Aiken County told them. This
24 was pretty much over with by the time Lexington County got
25 involved in it. They really don't know what happened. They

1 just don't. All they know is she was dead. That I said I did
2 it. He said I did it. The body was recovered nude though. I
3 cannot deny that. I will not deny that. But there's no
4 reason to believe that I did sexually assault her or that I
5 would have sexually assaulted her. There were allegations of
6 rape in another case. The rape test at the hospital refuted
7 that allegation. There was no evidence of intercourse and
8 thereby undermined the witness - the victim's credibility in
9 that case and that's how that got resolved.

10 Ma'am, if it matters, the intent of the law, like I
11 said, I believe is that someone who is a sex offender and a
12 threat to public safety needs to register. I'm 43 years -- I
13 mean, I'm 61 years old as of next month. I do not stand a
14 reasonable opportunity of being paroled until I'm at least 65.
15 I've had three heart attacks. I'm living with chronic
16 leukemia and I've been a Christian for 10 years so there's no
17 reason to believe that I'm a threat to public safety and
18 having to register as a sex offender is tantamount to
19 banishment. It will force me to live on the outer edges of
20 society and anything that I have to contribute as a result of
21 all of this will be nullified. I will be rejected. Nobody
22 will be willing to listen to my testimony. I don't know what
23 to say. Like I said, I can't defend myself.

24 THE COURT: All right. If there's nothing else at
25 this particular time I'll ask, the State has an

1 opportunity to ask questions. Don't go anywhere. And
2 then I'll give you a chance to make any response. Ms.
3 Kirkland.

4 MS. KIRKLAND: Thank you, Your Honor. Mr. McIntosh,
5 we spoke before earlier this morning about some documents
6 that we agreed should be admitted. I have a copy for you
7 and, Your Honor, a copy for the Judge, that we agreed to
8 these documents. Those are his. (Proffering.) Thank
9 you.

10 CROSS EXAMINATION

11 BY MS. KIRKLAND:

12 Q. Mr. McIntosh, that's a picture of Joyce Heinig,
13 isn't it --

14 A. Ma'am?

15 Q. -- right here? That's a picture of Joyce, right?

16 A. I don't know.

17 Q. So you don't remember if that's her?

18 A. No, ma'am.

19 Q. But you do remember that you kidnapped her,
20 correct?

21 A. She was kidnapped. I don't know if I did it or I
22 was just present.

23 Q. And so you confessed at least that you murdered
24 her?

25 A. Yes, ma'am.

1 Q. Okay. And isn't this a copy of your confession with
2 Agent Grant?

3 A. I can't really tell, ma'am. I'll take your word for
4 it.

5 THE COURT: Ms. Kirkland, are these exhibits?

6 MS. KIRKLAND: Not yet, Your Honor.

7 BY MS. KIRKLAND:

8 Q. Would you like to look at this? I'll flip back to
9 the first page for you.

10 A. Just read the page number. Well, it's not that
11 long. It's only a couple of pages.

12 Q. Right.

13 A. Okay. Well, just go ahead and make your point. I
14 see no reason to doubt what you're saying.

15 Q. Okay. So when I provided you a copy previously,
16 this was your statement and there's just a highlighted portion
17 in here where you confessed. You said, I threw her in the
18 trunk and she kept on screaming and stuff so I just pulled the
19 gun out and shot her. I shot her once in the back of the head
20 and once right around the forehead and one right in the center
21 of the cheek. I drove -- I closed the trunk and got back in
22 the car and drove off and came through Aiken on Highway 1 and
23 got on Highway 78 and I went through Aiken back towards Wire
24 Road on the bypass. I stopped somewhere on Route 49 and took
25 all her clothes and earrings and everything off and laid them

1 inside the trunk. Isn't that what you said?

2 A. Yes, ma'am.

3 MS. KIRKLAND: And, Your Honor, I would like to move
4 this into evidence now as our State's Exhibit 1.

5 THE COURT: Get it marked please.

6 (Whereupon, State's Exhibit #1 marked for
7 identification and admitted.)

8 BY MS. KIRKLAND:

9 Q. So in your confession you stated that you shot her
10 three times in the head?

11 A. Yes, ma'am.

12 Q. And earlier in your testimony you stated that you
13 were under the influence of drugs and alcohol --

14 A. Yes, ma'am.

15 Q. -- on that day. So you don't remember clearly
16 everything that happened?

17 A. Uhm, I know that she was put in the trunk and I know
18 that she was shot. I believe that she was shot three times.
19 At that time I did. I'm making this statement based on my
20 memory of what I could remember.

21 Q. Okay.

22 A. But yeah. Yes, ma'am. I did make that statement to
23 that effect and I believe that she was shot three times, maybe
24 more but three is all I can remember.

25 Q. And do you remember what she was wearing?



1 A. No, ma'am.

2 Q. Okay. But you say you took her clothes off after
3 you killed her, or after she was killed?

4 A. Yes, ma'am.

5 Q. Okay. Do you remember what you took off first, her
6 pants or her shirt?

7 A. No, ma'am. I made that statement based on my
8 co-defendant and I taking her clothes off there in the woods
9 where the body was found.

10 Q. So you remember taking her clothes off in the
11 woods?

12 A. Yes, ma'am. We took her clothes off where her body
13 was found.

14 Q. Okay.

15 A. But I made that statement to conform as close to
16 that fact as possible.

17 Q. Okay. And so at that point you were trying to make
18 it so that you were tried in Aiken and that's why you said it
19 at the time?

20 A. Yes, ma'am.

21 Q. Okay. So when you were taking her clothes off, you
22 remember it being in the woods. Do you remember if you
23 touched her skin at the time?

24 A. I would imagine that we had to, ma'am.

25 Q. And when you were taking off her shirt, you also

1 took off her bra, correct?

2 A. Ma'am, I don't remember whether she had on a bra or
3 not.

4 Q. Well, would you have had to touch her breasts when
5 you took off her top?

6 A. I don't know. I mean, I can't sit here and say,
7 ma'am, I didn't make contact with her body. I just don't
8 remember that there. I mean, if you're implying was there
9 some type of molestation or something, no, ma'am. There never
10 was no molestation of that corpse.

11 Q. And had you seen a naked woman before?

12 A. Yes, ma'am. A few times.

13 Q. And were you aroused usually by the sight of a naked
14 woman?

15 A. No, ma'am.

16 Q. No?

17 A. No, ma'am. I've --

18 Q. Ordinarily --

19 A. -- pretty much been incarcerated since I was 12
20 years old and was not sexual in nature at all.

21 Q. Okay. What was the context where you had seen naked
22 women before?

23 A. I had a brother who had a girlfriend that took my
24 virginity when I was 13, a friend's sister, a couple of
25 girlfriends. You know, there was a 10 or 15 month period of

1 time when I was in society between age 12 and age 18.

2 Q. And you were sexually active during that time with
3 women?

4 A. A few times.

5 Q. Okay. But you were not - you say you were aroused
6 by Joyce or you were not aroused by Joyce?

7 A. Uhm, due to the way I was raised, there were really
8 not a lot of girls around. There wasn't any sexual activity.
9 I went to juvenile when I was 12 and, uhm, there wasn't a lot
10 of women around, period, so women and sex wasn't a part of my
11 life and I really wasn't motivated or, you know, moved by that
12 or anything. I mean, there were a few times when I did
13 respond, but I probably rejected it more than I accepted it.

14 Q. Okay. And Mr. Kneece was with you at the time all
15 this went down. Do you remember him being there?

16 A. Removing the clothes? Yes, ma'am. He was
17 definitely there when we removed the clothes. I cannot say he
18 was present during the kidnapping or the murder.

19 Q. Okay.

20 A. I mean, I just don't know who all was there.

21 Q. Okay. In his statement he said he thought you were
22 going to rape Joyce, didn't he?

23 A. I think, if I remember the statement correctly, he
24 stated that they asked him, you know, what did you think he
25 was gonna do when he went down in the woods and he replied

1 that he thought I was going to kill her or rape her or
2 something. That was in his statement. In court he testified
3 that simply he thought I was gonna rape her. He didn't say
4 nothing about he thought I was gonna kill her.

5 Q. Okay.

6 A. I believe his courtroom testimony had been coached
7 and was malicious.

8 Q. All right. Why would he think you were going up
9 there to rape her?

10 A. He had no reason to think that, ma'am. I didn't
11 even know Gene Kneece. He was a friend of my other
12 co-defendant Michael Wilson and I had only met him the
13 previous day.

14 Q. And y'all had been out drinking that night and
15 that's when you were with --

16 A. The three of us. The three of us had been out
17 drinking and I was taking a narcotic pain killer by the name
18 of Percodan. You know, I was - I was pretty much out of it, I
19 guess. I do have some memories of the night like I said. I
20 mean, by the hand of one, hand of all I'm guilty and I can't
21 tell you that I didn't participate in the kidnapping and I
22 didn't participate in the killing. I just can't tell you that
23 because I was out of it. I believe regardless I'm
24 responsible. I'm guilty as far as that goes. I'm just saying
25 I didn't commit a sex offense.

34

1 Q. So his statement when he says that you went into the
2 woods with Joyce and that he heard three shots and then you
3 came back with her clothes, you're saying that that part is
4 untrue --

5 A. Yes, ma'am.

6 Q. -- in his statement?

7 A. Yes, ma'am.

8 Q. But you said just a few minutes ago that you were on
9 Percocet?

10 A. I said when she was shot, it was dark. We were in a
11 wooded area. My feet were on pavement. I remember that. And
12 she was in the trunk. We dumped that body, it had to be three
13 to five hours later. It was roughly 9:30, 10:00 in the
14 morning when we come out of them woods.

15 Q. Okay.

16 A. This girl had been killed when it was dark.

17 Q. All right.

18 A. And she definitely wasn't killed where we dumped the
19 body.

20 Q. So in the, in this police report I provided you in
21 discovery doesn't it say that the Aiken County detectives
22 believed, had reason to believe that the death occurred in
23 Lexington where the body was found?

24 A. If I remember that report correctly, it was made by
25 Russell Byers and he was reporting that Aiken County

35

1 authorities told him that they believed they could verify
2 where the body was killed because I had told them that I
3 reloaded the gun. Is that the statement you're referring to?

4 Q. It -- I'll read from it. It says, Detective Byers
5 was advised by Aiken County that they had reason to believe
6 the death had occurred in Lexington County where the body was
7 found.

8 A. Yes, ma'am. And I believe he qualified that
9 statement by saying that I had stated that I reloaded the gun
10 there.

11 Q. Mm-hmm.

12 A. Is that correct? This is the report filed by
13 Lieutenant Baggett or Brazel or whatever his name is.

14 Q. It's hard to read his name.

15 A. I think we have the same report and I believe my
16 recollection of it is more thorough than what you just
17 reported.

18 Q. Okay. Well, can you tell me a little bit more about
19 that then?

20 A. About what he said?

21 Q. About your recollection of --

22 A. Of this report? Of this report, as I recollect it,
23 if this is the one, it said that, uhm, Lexington County
24 authorities believed that they could identify where the victim
25 was killed because I had told them that I reloaded the gun and

1 they expected to find shell casings or something. I'm
2 looking. I can't find this exact spot, but it's in that
3 statement somewhere. It was either in the one Baggett filed
4 or the other one from Detective Byers.

5 Q. Okay.

6 A. Do you agree with what I'm saying though?

7 Q. I don't see that in this statement.

8 A. Okay. Let's find it before we go any further then.
9 It might have been in the incident report filed in another
10 statement. Hold on. Okay. Excuse me, ma'am. That's in the
11 incident report filed by Detective Byers. It says, the Aiken
12 Sheriff's Office thinks they will be able to pinpoint location
13 of shooting because suspect stated he dropped empty cartridges
14 where he shot her. So that is in the report that Lieutenant
15 Baggett is undoubtedly quoting.

16 Q. That's in this?

17 A. Yes, ma'am. It's a different report. I
18 apologize.

19 MS. KIRKLAND: Okay. So I would like to move both
20 of these into evidence, both of these reports.

21 THE COURT: Any objection, Mr. McIntosh?

22 THE WITNESS: No, ma'am. I have read these reports
23 and I believe they're authentic. I believe they're
24 accurate. They haven't been tampered with. And I
25 believe as far as the police officers are concerned

1 they're being sincere in what they're reporting. Like I
2 said --

3 THE COURT: Okay, then I'll admit them.

4 MS. KIRKLAND. Thank you.

5 BY THE WITNESS:

6 Q. As far as the police documents, you know, everything
7 is authentic. Some of them I've seen and was aware of and I
8 really can't dispute anything other than my co-defendant's
9 statement. As far as Lexington County they're reporting what
10 Aiken County told them and the only thing that we have from
11 Aiken County other than the transcripts of confessions is one
12 or two incident reports from SLED Agent Paul Grant, Junior,
13 better known as Cricket. Ma'am, these people were friends and
14 associates of my family, at least as far as Aiken County and
15 the SLED agent went. They didn't do me no wrong.

16 MS. KIRKLAND: Okay. But let's get these admitted
17 and then I'll have a few more questions for you.

18 (Whereupon, State's Exhibit #2 and #3 marked for
19 identification and admitted.)

20 THE COURT: Exhibit 2 is?

21 BY THE WITNESS:

22 A. Again, this --

23 THE COURT: Hold on. Hold on, Mr. McIntosh, before
24 you say anything further. So exhibit 2 is?

25 MS. KIRKLAND: The Lexington Sheriff's Department

1 incident report by Defective Byers, and exhibit 3 is the
2 Lexington County Sheriff's Department incident report.

3 THE COURT: Are they both incident reports?

4 MS. KIRKLAND: They are both incident reports. One
5 of them is -- I'm sorry. The first one appears to be
6 Baggett or Braggett, and the second one is Byers. I
7 think this page is actually not part of -- I'm sorry.
8 This first page is not part of this document.

9 THE COURT: So exhibit 2 is what?

10 MS. KIRKLAND: Exhibit 2 is, looks like Baggett's
11 report.

12 THE COURT: It's a complete report?

13 MS. KIRKLAND: It's a supplemental report.

14 THE COURT: Okay.

15 BY THE WITNESS:

16 A. Can I address this, ma'am?

17 BY MS. KIRKLAND:

18 Q. Sure.

19 THE COURT: Yes, sir.

20 BY THE WITNESS:

21 A. On the incident report filed by Detective Byers is
22 hearsay. He's reporting what Aiken County authorities told
23 him. He's not reporting anything. I never had any contact
24 with him other than him reading the warrant to me. The second
25 report is filed by Lieutenant Baggett of the Lexington County



1 Sheriff's Department and apparently was Byers' supervisor.
2 It's hearsay. He's reporting what Byers told him. Neither
3 one of these officers have direct knowledge of the crime.

4 MS. KIRKLAND: And I think that was just kind of
5 testimony, Your Honor, since they've already been
6 admitted, but they are ancient records so they would fall
7 under the exception.

8 BY MS. KIRKLAND:

9 Q. In Detective Byers' supplemental report at one point
10 -- I apologize. Uhm, let's go back to your co-defendant's
11 statement. He mentions in there that you told him that Joyce
12 was pregnant at the time; is that correct?

13 A. That was Kneece in his confession.

14 Q. Right.

15 A. I'm not gonna call that a confession because he
16 didn't confess to doing nothing.

17 Q. Understood. But his statement I guess.

18 A. Ma'am, I was surprised to learn that Joyce Heinig
19 was pregnant. My first knowledge of that came through the
20 information you sent me, the newspapers and stuff.

21 Q. Okay.

22 A. I had no knowledge this girl was pregnant. I - I
23 don't -- I never seen - recall any conversations with her when
24 she was alive. I seen her when she was alive, but I do not
25 recall any conversations with her. I knew absolutely nothing

1 about her and like I said, that statement by Kneece, it didn't
2 hold water. It really didn't.

3 Q. One of the - one of the documents we had agreed on
4 submitting was the autopsy report for Ms. Heinig?

5 A. Yes, ma'am.

6 Q. But that doesn't really prove that there wasn't a
7 sexual assault, does it?

8 A. No, ma'am, but it does prove some other things or at
9 least gives credence to my feelings about that.

10 Q. And it can't prove the sexual assault, right,
11 because her body was decomposed and had been partially eaten
12 by animals?

13 A. Yes, ma'am. She had been in the woods approximately
14 six weeks I believe or something like that.

15 Q. Okay. And so y'all had left her body unburied out
16 in the woods for about six weeks?

17 A. I believe the location was chosen because it was
18 unlikely that it would be discovered from where it was at. It
19 was a strip of land between a frontage road and the
20 interstate. It was probably a hundred feet wide, too close
21 for hunters and is an isolated area to this day that nobody is
22 in. But yes, the body had just been left on top of the
23 ground, cast aside I guess you could say.

24 Q. Okay. And then after y'all drove off and left her
25 body there, I believe it's Neese's statement that says you

1 guys went to McDonald's; is that right?

2 A. I really don't remember where exactly we went. I
3 remember that statement verbatim more or less. He said that
4 we went to a truck stop and stole the CB out of a car.

5 Q. Right.

6 A. And then went and got some gas, I believe, and then
7 went to McDonald's.

8 Q. Do you remember what you got at McDonald's?

9 A. I remember seeing a girl there that I knew. She
10 told me she was going to call me and I said it's probably best
11 you don't, but other than that I don't remember anything about
12 that, ma'am.

13 Q. All right. And then one of the other documents that
14 I sent you in discovery, it was an incident report regarding
15 Peggy Truitt.

16 A. Yes, ma'am.

17 Q. Are you familiar with that?

18 A. Uhm, I remember an incident report filed by SLED
19 Agent Grant, said the victim accused us of abducting her from
20 her home. Is that what you were referring to?

21 Q. It is. It's this one right here. It says --

22 A. Okay. This is a crime that has nothing to do with
23 the one we're discussing here.

24 Q. And I'm --

25 A. I'm willing to let you go there. We can address

1 this too.

2 Q. It's a different crime --

3 A. Okay.

4 Q. -- but I think you mentioned it earlier when you
5 were testifying when you said that someone else had accused
6 you of rape and that they had done the rape test?

7 A. Yes, ma'am.

8 Q. So this is just the incident report from that that
9 you were talking about earlier.

10 A. Yes, ma'am. And I have some additional information
11 that you probably don't have.

12 Q. Well, this is, this is my turn --

13 A. Okay. Thank you, ma'am.

14 Q. -- for questions. But you're familiar with this
15 report and I would like to move it into evidence for the Court
16 not to prove that you did this but just to show that there was
17 a common scheme or plan going on because it happened about a
18 month after Joyce's death.

19 A. I'm willing for the Court to entertain anything that
20 you got that says I'm a sex offender, ma'am.

21 MS. KIRKLAND: Well, Your Honor, may I have
22 permission to move this into evidence as exhibit 4?

23 THE COURT: Yes, ma'am.

24 (Whereupon, State's Exhibit #4 marked for
25 identification and admitted.)

1 BY MS. KIRKLAND:

2 Q. So, back to Joyce. You state you did not rape her,
3 correct?

4 A. Yes, ma'am.

5 Q. And you did not molest her?

6 A. Yes, ma'am.

7 Q. But you did take her clothes off?

8 A. Yes, ma'am. We did.

9 Q. And inevitably when you took her clothes off you had
10 to have touched her?

11 A. I - I would - I would agree with that. Yes, ma'am.

12 Q. Okay. But none of that is what you said at trial,
13 right? At trial you just said you didn't remember what
14 happened and you woke up --

15 A. Yes, ma'am.

16 Q. -- basically in Lexington?

17 A. I was advised by my attorney not to speculate, to
18 say no more than I was certain of and that's pretty much what
19 I did.

20 Q. Okay. And is this one of those newspaper articles
21 about the trial where the highlighted portion says you've been
22 out drinking, lying and smoking and you basically woke up in a
23 different car in Lexington?

24 A. That's the report from Holly Gatlin, State Paper?

25 Q. Yeah. That's the State Paper.



1 A. Yes, ma'am.

2 Q. And I guess my next question to you is just -- and
3 it will probably be my last question -- if a stranger came up
4 to you at gunpoint and took you off into the woods and took
5 off all your clothes, would you feel like that was sexual?

6 A. Ma'am, I'll cede you that point. It is a
7 hypothetical point though.

8 MS. KIRKLAND: Okay. If you can give me one second,
9 Your Honor.

10 THE COURT: If you have other exhibits that you
11 intend to offer into evidence. For example, I don't know
12 whether you have already marked in the autopsy report?

13 MS. KIRKLAND: The ones that were in the folder, the
14 binder. I don't believe I have stickers on those, the
15 ones we agreed to.

16 THE COURT: If they are to be admitted, then you
17 need to make sure that they're appropriately marked along
18 with the other exhibits.

19 MS. KIRKLAND: Yes, ma'am.

20 BY THE WITNESS:

21 A. May I speak?

22 THE COURT: One moment. I'll give you an
23 opportunity to do that when she finishes.

24 MS. KIRKLAND: So we have four documents in this
25 binder that Mr. McIntosh and I have agreed to. One of

1 them is page 2 of Cathy Sipe's report. The second one is
2 the transcript of an interview with Grant Matlock and
3 Kneece. The third is the Aiken County report of
4 Investigator Bill Matlock. And the fourth is the autopsy
5 of Ms. Heinig, and those will be marked into evidence
6 now, each one separately. And I'll gather up our
7 previously marked ones that I walked away with. And I'll
8 put the additional ones in the front cover for you.

9 (Whereupon, State's Exhibit #5 through #8 marked for
10 identification and admitted.)

11 THE COURT: And those all stay within the folder.

12 BY MS. KIRKLAND:

13 Q. Okay. And then one last one. Mr. McIntosh, earlier
14 I believe you were reading from this article, a part of it?

15 A. Which one?

16 Q. The Lexington.

17 A. Yes. Lexington County.

18 MS. KIRKLAND: I would like to go ahead and admit
19 that into evidence for the Court's consideration if you
20 don't have any objections.

21 THE COURT: Do you have any objections to this
22 particular --

23 THE WITNESS: Yes, ma'am. That's total BS.

24 MS. KIRKLAND: If I could -- It wasn't in my list of
25 things to admit --

1 BY THE WITNESS:

2 A. I can't believe that he -- How can --

3 MS. KIRKLAND: -- but you brought it up.

4 THE COURT: Hold on. You all can't talk over each
5 other.

6 BY THE WITNESS:

7 A. That was so irresponsible of him to do that. I
8 mean, there is so much malicious speculation in that document.
9 No, ma'am. No. You know, I'm willing to allow the document
10 from Paul Grant SLED Agent where he said that Peggy Truitt
11 said we drove around in North Augusta and took her to a place
12 and raped her. I'm willing to admit that, you know, because,
13 you know, she actually said that, I believe. I don't think he
14 made that up. I mean, like I said, I knew this boy. Just
15 point out with regard to that document, it does point to
16 another incident and the rape test at the hospital found no
17 evidence of intercourse and refuted that allegation.

18 So, you know, let's make that clear for the record
19 and if you're going to be the Judge to review this, you know,
20 it's another one of those situations where I can't defend
21 myself against these things. You know, without the
22 adversarial process, the ability to question witnesses and
23 things, you know, I'm really handicapped here and I'm willing
24 to work with you because I want to resolve as much as I can.
25 I want the parole board and the public or anybody else to have

1 this record and know exactly what happened and how I feel and
2 what y'all think.

3 THE COURT: I won't admit it because it's hearsay so
4 without the underlying foundations and to the extent that
5 he discussed it earlier, it's still hearsay so I'm not
6 going to consider that.

7 MS. KIRKLAND: Okay.

8 BY THE WITNESS:

9 A. It's all hearsay. Thank you, ma'am.

10 MS. KIRKLAND: One second. Your Honor, just
11 procedurally that's the end of my cross examination and
12 then I'm not sure if Mr. McIntosh has anything
13 additional.

14 THE COURT: I think he wants to make some additional
15 statements while he's under oath so, Mr. McIntosh, I'll
16 allow you to go ahead and make any further statements
17 while you're under oath.

18 BY THE WITNESS:

19 A. With regard to the autopsy, I believe it was Dr.
20 Sandra Conradie of the Medical University of Charleston --
21 Hold on. Let me draw this up. Right. This is page 3 of 6
22 and I believe she submitted that as an exhibit. It says
23 injuries: Two gunshot wounds are identified. The wound
24 identified as number 1 is in the back of the head. The
25 diameter of the external table of the skull wound is .28

1 inches. It shows internal beveling and filing on its edge.
2 The wound is 4.5 inches from the top of the head and one inch
3 to the right of the midline. A gunshot wound arbitrarily
4 designated number 2 is present within the left maxilla area
5 which shows a semi circular scalloped area with border filing.
6 It measures .35 inches in diameter. The entrance wound is 7.3
7 inches from the top of the head and 1.8 inches to the left of
8 midline. Judging from the fractures involving the left of the
9 midline -- excuse me -- judging from fractures involving the
10 olfactory plate, wound number 2 appears to have passed 30
11 degrees to the right and upwards 10 degrees anterior to the
12 corneal plane.

13 Your Honor, I don't know a whole lot about
14 ballistics, but it appears to me we've got two different types
15 of guns here, a .22 and a .32. It says, a separate defect
16 possibly representing a third gunshot wound is present within
17 the right orbital plate. The defect measures .3 inches in
18 length and .25 inches in width and it's squared off. It is
19 5.5 inches from the top of the head and .75 inches to the
20 right of the midline. No wounds in the remaining portions of
21 the body are identified.

22 I want to point this out because at this point the
23 coroner is even unable - I mean, the pathologist is unable to
24 determine whether the victim was shot with one gun or two
25 guns. They only retrieved one bullet. It was a .22 caliber

1 bullet and the gun belonged to my co-defendant Allen Eugene
2 Kneece. I have a document and it doesn't state exactly what
3 he stole, but he was served a warrant for petty larceny the
4 same time warrants were drawn up also for Peggy Truitt. The
5 gun was his. The other bullet apparently exited the head --

6 MR. VORBERGER: Your Honor, I believe --

7 BY THE WITNESS:

8 A. -- and that's the third wound. It says a separate
9 defect --

10 MR. VORBERGER: We would object to this. It's not
11 relevant to whether or not there was a sexual element to
12 the kidnapping or whether he's trying to disprove that he
13 was involved or if there were multiple shooters. It's
14 not relevant.

15 BY THE WITNESS:

16 A. It's relevant to the fact that they really don't
17 know what happened here. It's relevant. Now y'all are trying
18 to say that --

19 THE COURT: I'm going to allow him to finish
20 testifying. I'll determine based upon --

21 BY THE WITNESS:

22 A. The point I'm trying to make is that my claim, and
23 I'm not denying being present, I'm not denying any
24 participation in it, I'm simply saying that the only evidence
25 the State had was my fabricated confession that I committed

1 this crime, my co-defendant's fabricated confession that I
2 committed this crime. I say confession, but that's not a
3 confession. That's testimony against me. He's not admitted
4 any guilt. I came forward and took the blame for everything
5 and said I did it all by myself. They know three was involved
6 and they suspect two more was involved. One being her fiance
7 Gary Mullis and another one being an associate of mine Tony
8 Camden. His name was called in relation to the murder in
9 Florence and that's what drew him into it and they found him
10 living in the same neighborhood the girl's fiance lived in.
11 So they considered that circumstantial evidence as a
12 connection between us and the fiance or whatever you call
13 them, fiance.

14 But my point being to the Court and to y'all, y'all
15 really don't know what happened, I don't know what happened
16 and they don't know what happened. Nothing was conclusive.
17 There was no way to arrive at any conclusions. The charge to
18 the jury was it didn't matter. We were all there. We
19 admitted to being there and under the hand of one, hand of all
20 and the intoxication charge they told me it didn't matter
21 whether I was under the influence and out of my mind, if it
22 was voluntary, it didn't matter. And the point I'm trying to
23 make is the only issue here is the victim was female, her body
24 was found nude. There is no reason to believe this was a sex
25 offense. That's a legal inference from the nude body and I'm

1 saying inferences are dependent upon context and because we do
2 not have a complete look at the adversarial process that can
3 reach any definite conclusions, context is uncertain.

4 Are you going to make me register as a sex offender
5 on speculation? I mean, I have done 43 years. I'm subject to
6 complete 47 or more before released. Surely I'm guilty and
7 deserve to be in jail. It was necessary to ensure public
8 safety. I was uneducated, criminal minded, immoral, callus.
9 I committed heinous crimes, but I have not committed a sex
10 offense against anybody and you submitted that incident report
11 where he filed what the victim said, but unfortunately we
12 don't have the investigator's report with the rape kit and the
13 other testimony that refute it. I do have the indictment for
14 that. I was indicted for house breaking and aggravated
15 assault and battery. This was a robbery.

16 Now, yeah, we'll call it a pattern. You know, this
17 girl, my neighbor, and family friend Peggy Truitt, she told us
18 that she had just gotten her income tax refund. The minute we
19 heard it, we decided to take it. The next morning we abducted
20 this girl and took her to the bank, made her write a check to
21 withdraw the money, when the teller said the money wasn't in
22 the bank, we took her to the closest isolated area and I beat
23 her trying to make her give me the money. It was a heinous
24 act. She was my neighbor and family friend. You know, it was
25 heinous. But ain't nobody committed a sex offense against

1 her. You know, she undoubtedly was angry and seeking revenge
2 and just throwed that in there or the police throwed it in
3 there. I don't know. There was another detective involved,
4 Detective Charles Edwards. He lied in the courtroom. You've
5 got his testimony. Detective - I mean, Agent Grant took the
6 stand after him and testified that I did not make that
7 confession at that time. I made that confession the following
8 morning to him, that Detective Edwards wasn't present.

9 THE COURT: Mr. McIntosh, I'm not going to consider
10 any additional information relating to some other event
11 that occurred.

12 THE WITNESS: Yes, ma'am.

13 THE COURT: And so unless there's anything else that
14 you wish to state at this particular point in your
15 portion, or you may step down so I can hear from the
16 State.

17 BY THE WITNESS:

18 A. Okay. I just - I just want to point out to the
19 Court that the documents submitted by Lexington County
20 Detective Russell Byers and Lieutenant Badgett, these
21 documents are hearsay where they're reporting what Aiken
22 County authorities told them.

23 THE COURT: Yes, sir. You mentioned that earlier.

24 BY THE WITNESS:

25 A. Other than that there, ma'am, I just - there's

1 nothing I can say. I mean, the body, the girl, the victim was
2 female, the body was found nude and I'm just saying that she
3 was nude because we removed the clothes to prevent them from
4 being used to identify the body or to identify us or anybody
5 else. We burned the clothes with the car. Remains of the
6 clothes were found in the trunk of the car. There's an
7 incident report that verifies that. I believe it's in the
8 newspaper article too. Did you submit the two articles from
9 the State Paper?

10 THE COURT: No. I did not accept those.

11 MS. KIRKLAND: Your Honor, there was one article
12 that we disagreed about. I have an additional five that
13 I was planning to submit that I'm hoping Mr. McIntosh
14 won't disagree to.

15 BY THE WITNESS:

16 A. You know, when I contacted you, I asked you could we
17 agree to those documents I named. I - I wanted to do that
18 there because I knew the police officers involved and I
19 believe that they reported what they had and what they
20 believed and clearly there's no speculation. I'm - I'm
21 willing to let any official document from the police
22 department for the Court, anything that's considered judicial
23 I'm willing to allow in.

24 The newspapers, ma'am, ma'am, I don't know. I don't
25 know. You know, I will defer to Ms. Kirkland and the Court on

1 that. I really do. You know, that's hearsay and in my
2 opinion specifically with regard to the testimony of Cathy
3 Sipe in court, Cathy Sipe did not testify in court that I
4 asked her did she want to go see some dead bodies and that was
5 an issue because if she had stated that, my attorneys were
6 going to ask the judge to charge the jury that she was an
7 unindicted co-defendant by her own admission. She knew we
8 were looking for a stolen car and gonna burn it and if she
9 testified that she had knowledge that somebody was dead at the
10 general area where that body was at and she didn't come
11 forward, she was guilty. And she had a choice, come to court
12 as a witness or a co-defendant. She chose to come as a
13 defendant - as a witness.

14 But the bottom line is, you know, these newspaper
15 articles for the most part they're - they're reasonable. You
16 know, they're reasonable, but they're unnecessary. They're
17 presenting prejudice and inflammatory information. What do
18 you hope to prove from the articles, Ms. Harley?

19 MS. KIRKLAND: So the articles, there's five
20 additional articles, Your Honor, and that's all I was
21 planning to present.

22 THE COURT: Newspaper articles?

23 MS. KIRKLAND: They're newspaper articles, three
24 from the Aiken Standard and one is from The State.

25 THE COURT: And for what purpose are you offering

1 them?

2 MS. KIRKLAND: Just to go to the weight of what's
3 been discussed today. They offer a good summary of what
4 happened. They are also self authenticating and they're
5 over 20 years old so they're not subject to hearsay.
6 They're ancient records.

7 BY THE WITNESS:

8 A. I'm going to object to that on the basis that
9 newspaper articles can be used to show the existence of
10 knowledge in the public domain, but you cannot dispute the
11 truth of an article and if you can't dispute the truth or
12 inquire into the truth of the article, you naturally cannot
13 use the article to prove another fact expletive to it.

14 MS. KIRKLAND: Right. I think it just goes to the
15 weight of what's been discussed today.

16 BY THE WITNESS:

17 A. I'm going to object to that. It's hearsay.

18 BY MS. KIRKLAND:

19 Q. Would you like to review the five that I'm planning,
20 that I'm talking about specifically?

21 A. Ma'am, I have a good memory. I've read them.
22 Let'em in. Let'em in. If the Court's willing to take them,
23 let'em in. I mean, I don't want it to appear that I'm hiding
24 anything. I'm not. I'm not trying to obstruct. I'm not
25 trying to hide anything. I'm willing to let the Court take

1 everything into consideration and if this is going to be the
2 Judge doing it, she shows that she's aware of what's
3 circumstantial and what's relevant and, you know, since I'm an
4 inexperienced pro se litigant, I'm willing to trust my fate to
5 the Judge. Are you including the article from Gary Mullis
6 where he's in the paper smiling, the girl's fiance? Thinks
7 he's a -- You know, are you including that one?

8 Q. Okay. Why don't you take --

9 THE COURT: Have you provided them?

10 MS. KIRKLAND: I have provided them to him
11 previously.

12 BY THE WITNESS:

13 A. I think she's given me copies of everything.

14 MS. KIRKLAND: I've limited the number in an effort
15 not to be repetitive so these five articles.

16 THE COURT: Take a look at the ones she's offering.
17 I may let you mark them. I'm not so sure whether I'll
18 consider them or not. I'm not sure just because they
19 happen to be more than 20 years old, they're ancient but
20 that doesn't make them hearsay.

21 BY THE WITNESS:

22 A. I would like to add this, too. There was only one
23 reporter in the courtroom at the time. The other reporters
24 appeared to be picking it up from the AP reporting what Ms.
25 Gatlin reported.

1 THE COURT: Just take a look at what she's got and
2 see if there's some specific ones that you want to object
3 to specifically.

4 BY THE WITNESS:

5 A. Ms. Harley, why did you not include the one from
6 Gary Mullis?

7 BY MS. KIRKLAND:

8 Q. I can grab Gary's and put it in there as well.

9 A. I think if we're gonna let - we're gonna let the
10 Court see these newspaper articles, let's let her see all of
11 them. I particularly want that one in there --

12 Q. Okay.

13 A. -- because he says he went to this girl's house, his
14 fiancée's house and he found signs of a struggle. She may
15 have been abducted from her home. You know, this is him
16 talking about he goes in the back door. He breaks in. He's
17 playing detective. He's speculating on how many people are
18 involved and he's got this big smile on his face.

19 Q. Is that the Mullis it's a mystery to me?

20 A. Yeah. Well, actually his article appeared in the
21 paper above the one where I took them to the body. That
22 interview is what prompted my brother to go to my parents and
23 get them to convince me to cooperate in this. They knew I was
24 involved as a result of Cathy Sipe's statement but they didn't
25 know to what extent and the deal was is 15 to 30 years

1 depending on the extent of my involvement.

2 Q. Okay.

3 A. So my daddy come to the jail and talked to me
4 through a window and told me. But that there article there is
5 what prompted me to confess and then raise the police when
6 they were told about it and that article appeared and below it
7 on that front page was where the body was discovered through
8 an unidentified source. And keep in mind, Ms. Harley, the
9 articles - I mean the statements from the Aiken County
10 investigators were, they didn't even disclose my name. My
11 name didn't get disclosed to the media until Lexington County
12 got involved and paraded us before the media. Not until Jimmy
13 Metts got in there and said all that about them other murders
14 and stuff like that, all that other stuff. I mean, just if
15 you gonna do the articles, ma'am, just give her all the
16 articles. Let the Judge go through them and decide what
17 import she wants to give them.

18 Q. Okay.

19 A. You know, one thing is no worse than the other. I
20 mean, I'm in a bad situation here and, you know, God have
21 mercy is all I can say.

22 MS. KIRKLAND: Okay. I've got the Gary Mullis
23 article. Your Honor, would you like just the Gary Mullis
24 article? Or I've got kind of a pile of poorly unitized
25 articles.

1 THE COURT: A what?

2 MS. KIRKLAND: A pile of unfortunately poorly
3 unitized articles.

4 THE COURT: If there's not any objection, I'll look
5 at them, but I do have some concerns about using
6 newspaper articles while even though they may, in fact,
7 if they are, in fact, allowed under the rules of
8 evidence, I'm concerned about -- I'll read them because I
9 don't know what they say.

10 MS. KIRKLAND: Okay.

11 THE COURT: I'll read them. I'm concerned about
12 whether or not they go to the issues in this particular
13 case or whether it's just additional information or
14 whether they're in context of what happened.

15 MS. KIRKLAND: Okay. Would you like -- So these are
16 unitized.

17 THE COURT: They all need to be marked whatever they
18 are.

19 MS. KIRKLAND: Okay.

20 (Whereupon, State's Exhibits #9 through #23 marked
21 for identification and admitted.)

22 THE COURT: And, Mr. McIntosh, you may step down.
23 I'll hear from the State further but --

24 MR. MCINTOSH: I would like to include two documents
25 with regard to the Aiken County situation where I was



1 accused of rape, the two indictments and the result of
2 that. I have that.

3 MS. KIRKLAND: I don't have an objection to that.

4 THE COURT: And if you will present those to the
5 court reporter, the two that you want.

6 MR. McINTOSH: Yes, ma'am. These two here. Let the
7 Court look at that so she can see --

8 THE COURT: We'll get those marked and get copies
9 back for you, and you may step down.

10 (Whereupon, Plaintiff's Exhibit #1 and #2 marked for
11 identification and admitted.)

12 MR. McINTOSH: Ma'am, I appreciate your time. I
13 apologize for inconveniencing Lexington County. Again,
14 it's just that the body got dumped in y'all's front yard.
15 I'm sorry.

16 THE COURT: Let's take a moment to get everything
17 marked. Is there any further evidence or testimony from
18 the State?

19 MS. KIRKLAND: No. Nothing additional, Your Honor,
20 just closing.

21 THE COURT: I will hear from the State at this
22 time.

23 MS. KIRKLAND: Thank you, Your Honor. Just as kind
24 of an initial matter, this is a hearing pursuant to
25 Thompson v. State. Thompson v. State in this situation

1 limits the finding the Court can make as to whether or
2 not this is sexual in nature. The question of whether
3 Mr. McIntosh, if he was ever released, would have to
4 register as a sex offender is not yet ripe for the Court
5 to determine because we don't know what the sex offender
6 registry laws will be at that time. So the limited
7 question for the Court today is simply whether this
8 kidnapping was sexual in nature. There's a statutory
9 presumption that kidnapping people over 18 are sexual in
10 nature absent a finding from the Court that they're not
11 sexual.

12 THE COURT: Would you give me the citation for
13 Thompson versus State and the code section - and in
14 addition the code section --

15 MR. MCINTOSH: 415 South Carolina 560 --

16 THE COURT: Mr. Kirkland -- I mean -- I'm sorry.
17 Mr. McIntosh --

18 MS. KIRKLAND: I have a copy of Thompson as well as
19 a copy of the sex offender registry statute. And then
20 this is just the sex offender registry, Your Honor, if I
21 may (proffering.)

22 THE COURT: Thank you.

23 MS. KIRKLAND: Thank you. So as I was saying, the
24 very limited question is whether this kidnapping was
25 sexual in nature and the burden in this case is gonna be

1 on Mr. McIntosh to show that it was not sexual in nature.
2 He doesn't have to have been convicted of a criminal
3 sexual conduct charge. Actually he has to register for
4 his kidnapping. We don't have to show that he raped or
5 that he molested Joyce. That's not what's required by
6 law. He has to prove that this kidnapping was not sexual
7 and we don't believe that he's carried that burden.

8 Mr. McIntosh has offered his statement that he did
9 not rape Ms. Heinig, but it's our opinion that the
10 statement is not a hundred percent reliable in light of
11 his previous statement. He has given an initial
12 confession that contradicted his co-defendant's
13 statement. He even admitted today that he made it up to
14 try to keep the case in Aiken. Both men, the
15 co-defendant as well as Mr. McIntosh discussed how they
16 had been drinking the night before the kidnapping. Mr.
17 McIntosh today admitted that he was under the influence
18 when all of this happened and then at the trial he said
19 he didn't remember anything between Aiken and the wooded
20 area in Lexington. Today he has additional pieces of
21 memory through there. He remembers taking off her
22 clothes and that happening in Lexington, but as far as
23 proving that nothing sexual happened simply his statement
24 and his admission that his memory doesn't serve for this
25 doesn't rise to that burden.

1 And while the State doesn't have the burden, we did
2 present some evidence and it's circumstantial but we
3 believe there's ample evidence to show that something
4 probably sexual happened during the course of this
5 kidnapping. I think it's common sense that when a man
6 and woman go out into the woods and the man comes back
7 with the woman's clothes, something sexual probably
8 happened.

9 Mr. McIntosh kept saying context matters. Not the
10 context that this happened. And it didn't happen in a
11 hospital. It happened after Joyce had been murdered.
12 We're confident the Court, depending on which statement
13 you believe, we think the evidence makes it clear, Mr.
14 McIntosh even admits that he took off her clothes. The
15 evidence submitted shows that it even goes down to her
16 socks which they later used to burn the car and we just
17 believe a man removing the clothes of a woman who he
18 doesn't know is inherently sexual with no explanation for
19 this behavior to make it not sexual. Taking off a
20 woman's under garments doesn't prevent her from being
21 identified at a later time. But again, the burden is not
22 on the State here. The burden is on Mr. McIntosh to
23 prove this wasn't sexual and we don't believe that he's
24 met that burden.

25 THE COURT: And there's been no case law or anything

1 along those lines that would help, any information
2 relating to what would constitute sexual acts. Because
3 the statute says, makes a finding on the record that it
4 did not include a criminal sexual offense or an attempted
5 criminal sexual offense.

6 MS. KIRKLAND: Right. And then the Thompson case
7 uses the language sexual nature, sexual element. So I
8 think Thompson is the only case that I'm aware of that
9 really delves into that. There was a previous case State
10 v. Basil that dealt a little bit with kidnapping but I
11 don't think it really makes the issue you're asking about
12 any more clear. So I do think Thompson kind of makes it
13 broader than criminal sexual conduct versus attempted
14 criminal sexual conduct with the sexual in nature and
15 sexual element language.

16 THE COURT: Thank you. Mr. McIntosh, anything
17 further? Any argument in response to what she said?

18 MR. McINTOSH: Can you hear me from here?

19 THE COURT: Yes, sir.

20 MR. McINTOSH: Ma'am, first of all, the law is
21 written as the result of sex and that deprives the
22 defendant of the presumption of innocence. As she said,
23 they presume that you're guilty and that itself is
24 unconstitutional.

25 With regard to due process of law, without the

1 adversarial process there is no due process and this is
2 the situation that I'm in now. The statute was written
3 and it reads kidnapping is deemed a sex offense unless
4 the Court goes on record that the kidnapping did not
5 include a criminal sexual offense or attempt to commit a
6 criminal sexual offense. Implicit in the language is a
7 mandate that the trial court make this decision.
8 Implicit in that mandate is the defendant's right to have
9 the trial court make the decision. This fact stands on
10 the basis of judicial economy and the long held precedent
11 that the trial court is best suited to pass judgment on
12 the character of the witnesses and the evidence. It also
13 stands on the fact that today the Court is making note on
14 the record that the crime was sexual in nature or was not
15 sexual in nature.

16 Your Honor, I appear before this court 43 years
17 after the fact. There's no trial record. Without the
18 trial record there is no semblance of due process. How
19 can the court possibly determine the context of the crime
20 without the totality of circumstances available to the
21 Court? I'm agreeing to let the State put forward
22 anything they've got. I've tried to be frank and honest.
23 No. No, ma'am. I wasn't honest in the beginning as you
24 can see from the evidence. I took the blame for this
25 crime. I wasn't trying to get out of nothing. I took

1 the blame and because I come forward and took the blame,
2 that put me at a disadvantage when my co-defendant
3 stepped forward and said, yeah, he did it.

4 And once my attorney filed a restraining order
5 against the State, they could not hypnotize me. I had
6 agreed to go under hypnosis so that we could sort it out
7 as best that we could. I mean, why else would I undergo
8 hypnosis unless there was some question as to my memory
9 and what happened? But once my lawyer did that, all
10 contact between me and the police ceased. My attorney -
11 my co-defendant had gotten an attorney and, uhm, he
12 stopped communicating, too, so the investigation ended.
13 All they had was what we said. Everything else had been
14 destroyed.

15 We do have the coroner's report, however, and if you
16 look at the ballistics, and I'm not a ballistics expert
17 so I can't answer the question on the barrels and the
18 size of the bullet, the State made an issue of fact that
19 I had said that I shot her three times, but the body was
20 decomposed and had been eaten. We can't say for certain
21 that the body wasn't shot multiple times. There's no
22 evidence whatsoever that can show whether the body, the
23 person was killed where the body was found or was killed
24 somewhere else. There's no evidence to show how many
25 times for certain she was shot. There's simply nothing

1 there. And in everything the State presents there's
2 nothing from the police. I can't say nothing about the
3 papers. There's nothing from the police that alludes to
4 misconduct, sexual misconduct or anything else.

5 And although I was accused of it with regard to
6 Peggy Truitt, I'm even uncertain that she accused me or
7 Detective Edwards accused me. I don't know. All I do
8 know is that before we went to court, they decided to
9 indict me for house breaking and kidnapping because the
10 rape test refuted the allegation of rape and undermined
11 the victim's credibility. That's all I know about that
12 there, Your Honor.

13 You have everything. You've heard what I've had to
14 say, ma'am. Just let me say that the intent of the law,
15 never mind the technicalities, the procedures, the intent
16 of the law is with the Court to look at the situation and
17 decide whether that person is a sex offender and a threat
18 to public safety and needs to be registered and watched.

19 Ma'am, I'm 61 years old and at this time I had a
20 fifth grade education. I was immoral, criminal minded,
21 callus, and that was the result of growing up in the
22 juvenile prison system. Today, today, ma'am, I have two
23 years of college, majoring in business. I'm currently a
24 first year student at the Men's Bible College, three
25 vocational trades. I know all about the world, how to

1 get around in it. I'm a well balanced, intelligent, well
2 educated, reasonable person. There's no reason for this
3 Court to believe that I would do anything like this
4 again. This is something I did when I was a kid, but if
5 this Court requires that I register as a sex offender, it
6 will hinder anything I have to contribute to society and
7 to today's youth as far as my testimony goes. The public
8 will reject me.

9 The Sixth Circuit Court of Appeals' ruling in Does
10 versus Snyder says that labeling someone a sex offender
11 is declaring them a moral leper and forcing them to live
12 on the outer edges of society unable to blend in. This
13 law has many, many serious implications and the Sixth
14 Circuit says that the circumstances of registration are,
15 they meet the definition of punishment and by all means
16 they do. They do. And I'm saying, Your Honor, on this,
17 if you think today that I'm a sex offender and I'm a
18 threat to public safety, please, enforce the intent of
19 the law and understand that the technicalities are simply
20 for the administration of justice. We sometimes get lost
21 in the intent over technicalities. Lawyers and people,
22 they tend to exploit these things for whatever reasons.
23 For profit. For whatever reasons. Look at it, Your
24 Honor. Make the decision based on why you think I need
25 to be registered as a sex offender. That is the intent

1 of the law. Thank you, ma'am.

2 THE COURT: I will review all the exhibits as well
3 as the other information I have in the file and I'll
4 issue a written order and so thank you.

5 MS. KIRKLAND: Thank you, Your Honor.

6 MR. VORBERGER: Thank you, Your Honor.

7 MR. McINTOSH: Thank you.

8 WHEREUPON, THE HEARING WAS CONCLUDED.

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CERTIFICATE OF REPORTER

(STATE OF SOUTH CAROLINA)

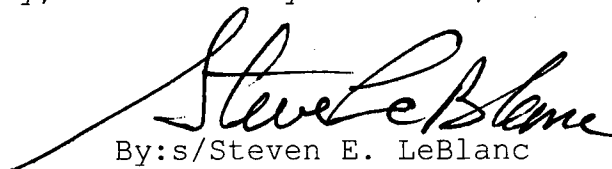
(COUNTY OF LEXINGTON)

I, THE UNDERSIGNED, Steven E. LeBlanc, Sr., R.P.R.,
and Official Circuit Court Reporter for the Eleventh Judicial
Circuit in and for the State of South Carolina, do hereby
certify that I reported the proceedings in the before
captioned case in the Court of Common Pleas in and for the
State of South Carolina on the 31st day of July, 2019.

I FURTHER CERTIFY that the forgoing 58 pages
constitute a true and accurate record of said proceedings.

I FURTHER CERTIFY that I am neither related, counsel
to, nor of interest to any party hereto.

IN WITNESS WHEREOF, I have hereunto set my hand at
Lexington County, this 4th day of March, 2021.


By: s/Steven E. LeBlanc

Steven E. LeBlanc, Sr., R.P.R.
Eleventh Circuit Court Reporter
State of South Carolina.





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,
19 77, 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,
19 77, 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. Westerdaal
SYLVIA W. WESTERDAHL
Solicitor



rolina
Aiken
SESSIONS
m, 19 77
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OR
Solicitor
Grand Jury
ABIA, S. C. 28205.

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

26 day of June 20 17

Robert J. Harte
C.C.C.P. & G.S., Aiken County, S.C. LSFH
Deputy Clerk *Robert J. Harte*



72

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 pro-
vided.

Sylvia W. Westerdaal
Sylvia W. WESTERDAHL

Solicitor

Q

Carolina

Aiken

SESSIONS

m, 1977

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18

OR

Battery 013

Solicitor

Grand Jury

ABLA, S. C. 29205

C. Hester

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

Witness

Sue H. Roe

July 21, 1977

B.W. McIntosh

Billy Wayne McIntosh

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 ten years
or pay Fine of \$

July 21, 1977

Sam F. Lough
Presiding Judge

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
I, Robert J. Harie, 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 20 17
Robert J. Harie
C.C.C.P. & G.S., Aiken County, S.C.
Deputy Clerk LSPH
Sam F. Lough

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

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

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#1 7-31-19

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Page two
State Vs. McIntosh, Billy Wayne
Murder

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 jugs 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.

Page three
State Vs. McIntosh, Billy Wayne
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 Alken?

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

Page four
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.

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 RECIEVED 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 INH 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 VEHICAE,, C.B. ANTENNA MISSING FROM TRUNK. 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 VEHICAE, 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. Bya

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 CAEDEN, 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 ☒ EX. CLEARED ☐ OVER 18 ☐ UNDER 18 ☐ UNFOUNDED

REPORTING OFFICER: _____ NUMBER: _____ APPROVING OFFICER: *[Signature]* NUMBER: *69*

REPORT DATE: *12/17/77*

COLUMBIA OFFICE SUPPLY CO. 283389

STATE'S EXHIBIT
#2 7-31-12

AGENCY ID.

SC

SUPPLEMENTAL REPORT

CASE NUMBER

☐ ORIGINAL REPORT☐ SUPPLEMENTAL REPORT

PAGE _____ OF _____

OFFICER OBSERVED A BADLY DECOMPOSED BODY OF WHAT APPEARED TO BE A WHITE FEMALE. THE BODY HAD BEEN STRIPPED OF ALL CLOTHING 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 ADVISED 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 OCCURRED IN LEXINGTON CO. WHERE THE BODY WAS FOUND. DET. BYARS WAS SENT TO AIKEN CO. TO TALK WITH THE SUSPECT. UPON ARRIVING IT WAS LEARNED THAT THERE WAS ANOTHER SUSPECT. ONE ALLEN EUGENE KNEECE. DET. BYARS RECEIVED A VERBAL STATEMENT OF ALLEN AND HE STATED THAT HE AND BILLY HAD ABDUCTED THE VICTIM 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 BILLY RETURNED TO THE CAR WITH THE GIRL'S CLOTHING. DURING ALLEN'S STATEMENT HE ALSO STATED THAT BILLY HAD STATED THAT HE HAD TO WASTE 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. HOWEVER BILLY STILL BELIEVES THAT HE KILLED 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 VICTIM WAS SHOT (HEAD). BILLY ALSO KNEW THE CAL. OF WEAPON USED (22 pistol) THERE ARE ALSO SEVERAL THINGS THAT CHECK OUT WITH ALLEN'S STORY. FIRST: THE LOCATION IN AUGUSTA WHERE THE ABDUCTION TOOK PLACE IS WHERE THE VICTIM 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 DESCRIBE THE LOCATION WHERE THE BODY WAS FOUND.

ON FEB. 5, 1977 THE BODY WAS IDENTIFIED THROUGH DENTAL RECORDS FROM THE VICTIM'S PERSONAL DENTIST. THE AUTOPSY WAS ABLE TO CONFIRM THAT THE VICTIM 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 AIKEN 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 VICTIM WAS TAKEN TO SLED HQ FOR COMPARISON.

ON FEB. 6, 1977 WARRANTS WERE DRAWN ON BILLY WAYNE McINTOSH 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 18
☐ UNDER 18☐ UNFOUNDED

REPORT DATE

2.4.77

REPORTING OFFICER

NUMBER

APPROVING OFFICER

NUMBER

COLUMBIA OFFICE SUPPLY CO. 853389

1561

LEXINGTON COUNTY SHERIFF'S DEPARTMENT
INCIDENT REPORT

AGENCY ID. ☒ C

INCIDENT TYPE
Recovered Homicide Victim

INCIDENT LOCATION
Off I-20 204 near I-20

INCIDENT DATE
TIME AM TO DATE TIME AM

COMPLAINANT
Grawitt, Paul A

VICTIM NAME
Melinda Joyce

ADDRESS
Aguirre, Gloria

SUBJECT NAME
Mittelsch, Billy

WARRANTY
CHARGES

ARREST
TOTAL NUMBER ARRESTED

VEHICLE
STOLEN TAG NUMBER STATE YEAR V.T.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, 2dr. 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 Hwy. 204 and left body. He then took car back to Aiken and the next day burned the car.

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

THIEF/RECOVERY JURIS.
1 COUNTY
2 CITY
3 STATE
4 OUT OF STATE
DATE OF THEFT

CASE STATUS: ☐ ACTIVE ☐ CLEARED BY ARREST ☐ EX. CLEARED ☐ OVER 18 ☐ UNDER 18 ☐ UNFOUNDED
REPORTING OFFICER ☒ ADM. ☐ U.S.R. ☐ J.R.
NUMBER 614 APPROVING OFFICER DAVIDS AC NUMBER 614

STATE'S
EXHIBIT
#3 7-31-19

AGENCY ID
SC

SUPPLEMENTAL REPORT

CASE NUMBER
07040504481

☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT

PAGE _____ OF _____

After hearing this story Det. Jack Fields A.C.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 Daulton. 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. officer and one Det. to Charleston with body.

CASE STATUS: ☐ ACTIVE ☐ CLEARED BY ARREST

EX. CLEARED ☐ OVER 18 ☐ UNDER 18

☐ UNFOUNDED

REPORT DATE
0.40577

REPORTING OFFICER

0144R-5

NUMBER
64

APPROVING OFFICER

DAVY'S RAC

SGT

NUMBER

61

Continental Office Supply Co. 263008



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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.

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Cathy Sipes Interview by Mattlock & Grant
March 5, 1977

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AIKEN COUNTY

PAUL A. 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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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 ~~we went to McDonald's~~ sold it and got some gas and we went and got something to eat at McDonald's, then we pulled, after we left McDonald's 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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Murder

Kneece: Yes

Grant: Casey's Truck Stop?

Kneece: I don't know what the name of it was, it's off, it's coming off of Columbia, it's off a big interstate

Grant: Did you sell it to an individual or the man that owned it?

Kneece: To a trucker

Grant: A trucker, How about describe the Pontiac to me, as best, as in detail as you can describe it.

Kneece: It was a blue Lemans with white Keystone mags and it had wide tires on it, I don't know what model it was, a 73 or 74, I'm not sure.

Matlock: While you were in the vehicle did the girl ever tell you her name

Kneece: Nosir, not me, she might have told Billy before I got in the car, she never did say anything to me

Matlock: Did you ever know the girls names

Kneece: Yes sir, Billy told me ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ to go through the girls pocket book and when I did I saw her drivers license

Matlock: And what was the name on the drivers license

Kneece: I don't, I forgot, the last name was

Matlock: Do you know how to spell it?

Kneece: I forgot

Matlock: How about Heinig?

Kneece: It might be, I'm not sure

Grant: How about the first name?

Kneece: I don't remember that either.

Grant: Describe her

Kneece: She had glasses, hair about the length, about as long as mine about down to her shoulders, and

Matlock: Color of hair

Kneece: Blonde

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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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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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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 didnt 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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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 Aiken

Kneece: Yes

Grant: Where did 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 Aiken

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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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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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.

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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 alight blue. The VIN 2D37MSA115253 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 Thomspson 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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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, as 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

Page four

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.

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
HS 7-31-19

Department of Pathology
Medical University of South Carolina
Charleston, S. C.

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

000099

CROSS ANATOMICAL PROTOCOL

MEDICAL UNIVERSITY OF SOUTH CAROLINA

Case No: 04767

Autopsy No. FA77-228

Report by

Joyce Heinig

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

GROSS ANATOMICAL PROTOCOL

MEDICAL UNIVERSITY OF SOUTH CAROLINA

Case No: 04767

Autopsy No. FA77-228

Joyce Heinig

Report by -----

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.

GROSS 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

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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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

Aiken Standard

Aiken, South Carolina, Wednesday, April 6, 1977
Vol. 118 - No. 48 - 12 Sections - 24 Pages
1st Pop Single Copy Telephone: 400-2211

Payee One
Provided Light
In Hard Times
See Page 4A

Let's See
She's Still
Here
See Page 4A

What To Do
With Leftover
Easter Food
See Page 1B



FLOWERS PLENTIFUL IN COLLEGE ACRES YARD

Hundreds of tulips in the yard of M. L. Sullivan in College Acres are in full bloom. Mr. Sullivan, who is teaching mathematics at the University of South Carolina, has a large garden. Tulips in the yard of Mr. Sullivan, who is teaching mathematics at the University of South Carolina, are in full bloom.

Thousands of tulips in the yard of M. L. Sullivan in College Acres are in full bloom. Mr. Sullivan, who is teaching mathematics at the University of South Carolina, has a large garden. Tulips in the yard of Mr. Sullivan, who is teaching mathematics at the University of South Carolina, are in full bloom.

Missing Since February

Body Is Identified As Miss Heinig's

By FRANK BELL
A body found early yesterday in a wooded area in Lexington County has been positively identified as Mary Heinig, a 21-year-old woman who has been missing since February. The body was found by a hunter who was out in the woods with his dog. The body was found in a wooded area near the intersection of Highway 101 and Highway 102. The body was found in a wooded area near the intersection of Highway 101 and Highway 102. The body was found in a wooded area near the intersection of Highway 101 and Highway 102.

What's Going On

Edwards' Gas Tax Plan Considered
COLUMBIA (AP)—The House of Representatives today considered a bill to raise the federal gasoline tax. The bill would raise the tax from 18.4 cents a gallon to 19.4 cents a gallon. The bill would also raise the tax on diesel fuel from 12.4 cents a gallon to 13.4 cents a gallon. The bill would also raise the tax on kerosene from 12.4 cents a gallon to 13.4 cents a gallon. The bill would also raise the tax on fuel oil from 12.4 cents a gallon to 13.4 cents a gallon.

Car Sales Pass Million Mark
WASHINGTON (AP)—The new car sales in the United States last year passed the million mark for the first time in history. The new car sales in the United States last year passed the million mark for the first time in history. The new car sales in the United States last year passed the million mark for the first time in history.

Bradley, Fowler Win Elections
By The Associated Press
Two Bradley, the first time since 1964, and a Fowler victory in the election. The Bradley victory in the election was a surprise. The Bradley victory in the election was a surprise. The Bradley victory in the election was a surprise.

Sedat Pursues Economic Aid
WASHINGTON (AP)—The House of Representatives today considered a bill to provide economic aid to the people of the Middle East. The bill would provide economic aid to the people of the Middle East. The bill would provide economic aid to the people of the Middle East.

Snow Flurries Hit Great Lakes
By The Associated Press
Snow flurries hit the Great Lakes today. The snow flurries hit the Great Lakes today. The snow flurries hit the Great Lakes today.

Have You Heard?
This Aiken Standard is for sale. The Aiken Standard is for sale. The Aiken Standard is for sale. The Aiken Standard is for sale. The Aiken Standard is for sale.

Appalachia Residents Race To Keep Back Raging Rivers



Flowing fast, the river in the photo is a tributary of the Savannah River.

Ordinance Saves Huber's Permits
By The Associated Press
A city ordinance in the state of Georgia has saved the permits of a man named Huber. The ordinance has saved the permits of a man named Huber. The ordinance has saved the permits of a man named Huber.

At Least 32 Reported Dead

By The Associated Press
At least 32 people were reported dead in a disaster in the state of Georgia. The disaster in the state of Georgia was a disaster. The disaster in the state of Georgia was a disaster.

Temperatures To Drop To Low 30s Tonight
By The Associated Press
Temperatures are expected to drop to the low 30s tonight. The temperatures are expected to drop to the low 30s tonight. The temperatures are expected to drop to the low 30s tonight.

Passes First Reading

Council Backs Detention Home

By The Associated Press
A council has backed a plan to build a detention home. The council has backed a plan to build a detention home. The council has backed a plan to build a detention home.

STATE'S EXHIBIT
#9 7-31-19

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 Matlock 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.

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What's Going On

Federal Prosecutor Assassinated

WASHINGTON, April 7 (AP) — A federal prosecutor was assassinated today in a drive-by shooting in the Washington, D.C., area. The victim, John Edgar Hoover, was the director of the Federal Bureau of Investigation. He was shot while driving in a carpool with his wife and two children. The shooting occurred on a highway near the Pentagon. Hoover was killed by a single bullet to the head. The FBI is seeking information about the assassination.

Guerrillas Claim Capture

BOGOTÁ, Colombia (AP) — Guerrillas today claimed to have captured a Colombian army officer. The officer, a captain, was taken from his home in Bogotá. The guerrillas said they had taken him to a safe haven in the mountains. The Colombian army is searching for the guerrillas and the captured officer.

Aid Bill Language Too Strong

WASHINGTON (AP) — The House of Representatives today passed a bill to provide aid to the people of South Africa. The bill, known as the Arms and Trade Control Act, was passed by a vote of 241 to 187. The bill would prohibit the export of arms and military equipment to South Africa. It would also prohibit the export of technology that could be used in the production of arms.

U.S. To Keep Hands Off Elections

WASHINGTON (AP) — The State Department today said it would not interfere in the elections of any foreign country. The department said it would not provide any aid or support to any candidate in any election. The department said it would not provide any information about the internal affairs of any foreign country. The department said it would not provide any information about the military or political situation in any foreign country.

Rhodes 'Shocked' Over Print Shop

WASHINGTON (AP) — Rhodes, a member of the House of Representatives, today said he was shocked by the actions of a print shop. The print shop, known as the Rhodes Print Shop, was accused of printing false information about Rhodes. Rhodes said he was shocked by the actions of the print shop because it was a member of his own party. Rhodes said he was shocked by the actions of the print shop because it was a member of his own party.

Have You Heard?

What the Congress and the people of South Africa should know about the actions of the Rhodes Print Shop. The print shop, known as the Rhodes Print Shop, was accused of printing false information about Rhodes. The print shop, known as the Rhodes Print Shop, was accused of printing false information about Rhodes. The print shop, known as the Rhodes Print Shop, was accused of printing false information about Rhodes.

Inside Today

Iron Star Becomes Face Signed
See Page 12

Red Cross CPR May Make A Difference Between Life, Death
See Page 5

For Kneese, McIntosh

Murder Charges Added

By JAMES HALL
Staff Reporter

Murder charges have been added against two Aiken County men in connection with the death of a woman. The charges were added to the indictment against the men. The men are James Kneese and John McIntosh. The woman, who was 25 years old, was found dead in a car on a highway. The car was found with the doors open and the windows shattered. The woman's body was found in the car. The car was found on a highway near the town of Aiken. The woman was found on the highway. The car was found on the highway. The woman was found on the highway.

AIKEN COUNTY JAIL, LIME, 6-16-75
ONE HUNDRED, 1-2-2
AIKEN, S.C., 29801



KNEESE
James Kneese

Aiken Standard

Vol. 118 / No. 10 - 10 Pages
Aiken, South Carolina, Thursday, April 7, 1977
15¢ Per Single Copy Telephone: (843) 331-1111

Carter Policy May Endanger Future Of Barnwell Plant



BACKLOG SPARKS 13 FIRES
A massive fire broke out at the Barnwell nuclear power plant today, threatening the future of the plant. The fire, which started in a storage area, spread quickly and caused significant damage to the plant's infrastructure. The fire caused a backlog of work at the plant, which could lead to the plant's closure. The fire caused a backlog of work at the plant, which could lead to the plant's closure. The fire caused a backlog of work at the plant, which could lead to the plant's closure.

Decision May Be Coming Soon

From Staff and Wire Services

The future of the Barnwell nuclear power plant may be decided in the next few weeks. The plant's future is uncertain because of the massive fire that occurred today. The fire caused a backlog of work at the plant, which could lead to the plant's closure. The fire caused a backlog of work at the plant, which could lead to the plant's closure. The fire caused a backlog of work at the plant, which could lead to the plant's closure.

School Board Members Say Houston Trip Helpful

By JOHN HENLEY
Staff Reporter

Improving the public's understanding of the state of education in South Carolina was the goal of a trip to Houston, Texas, by members of the Aiken County School Board. The trip, which was led by the board's president, was a success. The board members were able to see the state of education in Houston and learn from the experiences of the Houston school system. The board members were able to see the state of education in Houston and learn from the experiences of the Houston school system.

Members of the South Carolina legislature have visited the Aiken County School Board today. The legislature members were able to see the state of education in Aiken County and learn from the experiences of the Aiken County School Board. The legislature members were able to see the state of education in Aiken County and learn from the experiences of the Aiken County School Board.

Cool Weather Predicted For Tonight
A cold front is expected to move into the area tonight, bringing cooler temperatures. The front is expected to arrive tonight and bring cooler temperatures. The front is expected to arrive tonight and bring cooler temperatures.

Williams Told 'No'

By JIM HENLEY
Staff Reporter

Aiken County is apparently still looking for a person to fill the position of administrator. The county board of commissioners today told a candidate, James Williams, that he was not the person for the job. The board said that Williams did not have the necessary experience for the job. The board said that Williams did not have the necessary experience for the job.

Administrator List Has Narrowed

By JIM HENLEY
Staff Reporter

The list of potential administrators for Aiken County has been narrowed down to a few names. The county board of commissioners today announced that the list of potential administrators has been narrowed down to a few names. The county board of commissioners today announced that the list of potential administrators has been narrowed down to a few names.



WILLIAMS
James Williams

STATE'S EXHIBIT
#10 7-31-19

AIKEN COUNTY PUBL. LHR. 6-19-75
435 NEWBERRY, S.W.
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, 306 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.

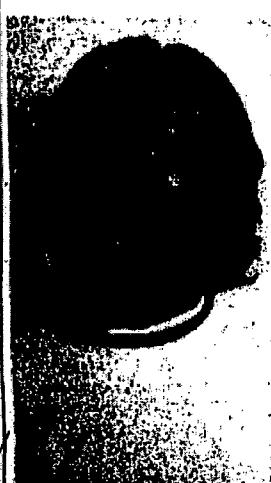
The victim was driven to a wooded area off Interstate-20 in Lexington County where she was shot. Her unclothed body was found after law enforcement officials were led to the spot by McIntosh.

McIntosh, already in the Aiken County Jail on charges of

(See COUNTY MEN, Page 15)



KNEECE
More Charges



McINTOSH
In Custody

...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 JIM BRADLEY
Staff Reporter

LEWISTON—The murder of John Heinig, 34, of Aiken, was sentenced to two consecutive life terms after being convicted in Lexington County Circuit Court Tuesday for the murder of a young woman.

The sentencing was held in the courtroom of Judge James H. Smith, a day after the jury returned its verdict.

McIntosh, 34, was sentenced to two consecutive life terms in Lexington County Circuit Court Tuesday for the murder of a young woman.

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McIntosh was sentenced to two consecutive life terms in Lexington County Circuit Court Tuesday for the murder of a young woman.

What's Going On

Welfare Reform Hearings Set

WASHINGTON—The U.S. Social Security Administration announced Tuesday that it will begin hearings on welfare reform proposals in October.

The hearings will be held in Washington, D.C., and in various cities across the country.

The proposals include changes to the way welfare benefits are calculated and to the way they are distributed.

Secrecy Rules May Be Changed

WASHINGTON—The U.S. Social Security Administration announced Tuesday that it will begin hearings on welfare reform proposals in October.

The hearings will be held in Washington, D.C., and in various cities across the country.

The proposals include changes to the way welfare benefits are calculated and to the way they are distributed.

Deck Talks To Get Serious

NEW YORK—The U.S. Social Security Administration announced Tuesday that it will begin hearings on welfare reform proposals in October.

The hearings will be held in Washington, D.C., and in various cities across the country.

The proposals include changes to the way welfare benefits are calculated and to the way they are distributed.

Mrs. Scott Asks Court To Overturn Conviction

COLUMBIA—Mrs. William T. Scott, 42, of Columbia, has asked the South Carolina Supreme Court to overturn her conviction for the murder of her husband.

The conviction was based on evidence that was later found to be unreliable.

Mrs. Scott was sentenced to life in prison for the murder of her husband in 1965.

Inside Today

The Measure Is Dead, Music Mourns
See Page 9A

Aiken's First All-American Home Show
See Page 12A

Full Frontal Means Filling The Family
See Page 1-B

Aiken Standard

Vol. 110, No. 112 - 2 Sections - 38 Pages
Aiken, South Carolina, Wednesday, September 14, 1977
15¢ Per Single Copy - 7 Dimes - \$2.10

Lance Says Attack Unfair; Raps Innuendo And Hearsay



He Doesn't Intend To Quit

By W. DUNCAN
Aiken Standard Staff Writer

WASHINGTON—If you can take the time to read the Aiken Standard, you will know that Lance is not going to quit.

Lance is a man of many talents and is not going to quit.

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Board Approves Budget

By JIM BRADLEY
Staff Reporter

The Aiken County Board of Commissioners has approved the 1978 budget for the county.

The budget includes funding for various departments and services.

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

By JIM BRADLEY
Staff Reporter

The Cecil's Corporation has been awarded a contract to build a new nursing home in Lexington County.

The nursing home will have 100 beds and will be located in the town of Lexington.

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Republicans To Vie In Council Primary

By JIM BRADLEY
Staff Reporter

The Republican Party is holding a primary election for the Aiken County Council.

The primary will be held on September 21, 1977.

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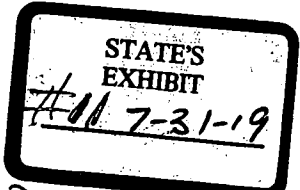
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Gets 2 Consecutive Life Terms

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 kidnapping and shooting death of Joyce Marie Heinig, a 20-year-old Augusta woman.

McIntosh stood between his two attorneys as Circuit Judge Rodney Peoples 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)

... 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 HOLLY GATLING
Staff Writer

Billy Wayne McIntosh, a slender 19-year-old, told law enforcement officers he killed Joyce Heining, 34, on the way to her nude, decomposed body ditched in a wooded area of Lexington County, a detective said Monday.

Chuck Edwards, an Aiken City Police Department detective, said McIntosh contacted him around 10 p.m. April 10, said he had something he wanted to get off his chest.

It turned out to be a confession to the Feb. 25 abduction and shooting death of Miss Heining, 20, an Augusta, Ga., woman

who was to be married the next day, Edwards said. She was often way to get her fiancé from work late in the afternoon.

Two days later, Miss Heining, 174, 110-pounder, was found buried in a wooded area of Aiken County and almost six weeks after her body was found.

The Aiken teenager's trial for murder and kidnapping began Monday afternoon in Lexington County General Sessions Court. Before the trial, also scheduled, Allen Kiersey, 22, also of Lexington County, pleaded guilty to kidnapping and accessory after the fact.

McIntosh, a slender 19-year-old, with collar-length brown hair, had a mustache and two tattoos and periodically bled nose during legal maneuvers. Edwards and others testified.

Edwards said he was on vacation when McIntosh called him from the Aiken County Jail where McIntosh was being held. Edwards testified to Miss Heining's death.

Edwards, 44, and State Law Enforcement Division (SLED) Agent Paul A. Grant met with McIntosh in the Aiken County Sheriff's Department investigation room where McIntosh, 19, had been held since Heining's death.

McIntosh was described as being pumped into Miss Heining's car. He was described as being pumped into Miss Heining's car. He was described as being pumped into Miss Heining's car.

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DSS Contract To Be Amended

By MARGARET N. O'SHEA
Government 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 tossing 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 all-day meeting was closed to the public and press, since it dealt with internal administrative and contractual matters.

Sources close to the negotiations said HEW personnel indicated the contract will require revision, 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, 12, C)

Body Found In Broad River

STATE'S EXHIBIT
#12 7-31-19

The State

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

Section B •

Wednesday, September 14, 1977

Page One

Illegal Search, Seizure Cited

In Harry Obscenity Case

MYRTLE BEACH — A municipal judge here has ruled the knowledge of the Florence County Solicitor's Office for using illegal search and seizure techniques in making its obscenity case against Harry Taylor, Jr., a defendant in a Harry Taylor obscenity case.

In a 10-page decision, Judge William A. Little ruled that the search and seizure techniques used by the Florence County Solicitor's Office in making its obscenity case against Harry Taylor, Jr., a defendant in a Harry Taylor obscenity case.

The judge's decision was based on the fact that the search and seizure techniques used by the Florence County Solicitor's Office in making its obscenity case against Harry Taylor, Jr., a defendant in a Harry Taylor obscenity case.

According to the judge's decision, the search and seizure techniques used by the Florence County Solicitor's Office in making its obscenity case against Harry Taylor, Jr., a defendant in a Harry Taylor obscenity case.

While Weatherford was out of the store, the search and seizure techniques used by the Florence County Solicitor's Office in making its obscenity case against Harry Taylor, Jr., a defendant in a Harry Taylor obscenity case.

I find in this case that the search and seizure techniques used by the Florence County Solicitor's Office in making its obscenity case against Harry Taylor, Jr., a defendant in a Harry Taylor obscenity case.

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the search in question was made prior to, and not incidental to, the defendant's arrest. It was further found that the search was not within plain view.

Judge William A. Little

Ex-Columbian Sentenced In 1971 Holdup Killing

paroled after ten years. McIntosh said.

Porterfield, 30, was arrested after the killing and was charged with first-degree murder. He was sentenced to life in prison.

Porterfield was sentenced to life in prison for the murder of Harry Taylor, Jr., a defendant in a Harry Taylor obscenity case.

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McIntosh Convicted Of Murder

Billy Wayne McIntosh, 39, was convicted Tuesday in Lexington County General Sessions Court of kidnapping and murdering Augusta, Ga. resident Joyce Marie Henning, a 30-year-old bride-to-be.

Circuit Judge Rodney Peoples sentenced McIntosh, an Alcon County native, to two concurrent life sentences and said that he would not be eligible for parole.

McIntosh was convicted of the Feb. 25 murder and could not receive the death penalty because South Carolina did not have capital punishment at the time of the crime.

McIntosh, a slender teen with collared hair, implicated a co-defendant, Eugene Keweenaw, of the murder but he did not actually accuse him.

Keweenaw, 22, pleaded guilty to accessory after the fact of kidnapping and murder and (limited) James McIntosh Tuesday. He will be sentenced Thursday.

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

The prosecution's fifth Circuit Solicitor Donald V. Myers and Assistant Solicitor Cain Littlejohn pegged their case heavily on the testimony of Keweenaw and Capt. Cathy Spies, another of McIntosh's abduction victims.

McSpies, 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. 25.

Keweenaw said he and McIntosh had spent the night of Feb. 24 and the early morning of Feb. 25 drinking in an Alcon 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. Keweenaw said.

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

Keweenaw 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 Henning's car.

They proceeded to Lexington County on I-26 and pulled off the interstate onto a road where they killed her.

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About McIntosh

McIntosh was born in Alcon, S.C., and grew up in Lexington County. He was a member of the Lexington County High School football team.

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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 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 5 and recanted during the trial which began Monday afternoon.

The prosecutors, with Circuit Solicitor Donald V. Myers and Assistant Solicitor Cam Littlejohn, pegged their case heavily on the testimony of Kneese and Capt. Gary Sipes, another of McIntosh's abductees. Miss Sipes, 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 Aiken bar. Taylor left the bar around 5 a.m. and drove around until McIntosh saw a blue Dodge LeMans and said, "That's the car," Kneese 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 to get back into her car which he then drove.

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

They proceeded to Lexington County and pulled off the interstate into

(See MCINTOSH, 1B, Col. 1)

entenced Killing

McIntosh robbery Harry Taylor, 28, made a deal in 1972 with then Columbia Detective Capt. Harry Sipes 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 or we might lose one of them."

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, 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 me how I 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 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 14 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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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 Matlock 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.

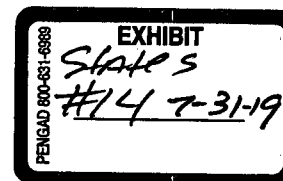
McIntosh was being held in jail, charged with kidnapping, rape, assault and battery of a high and aggravated nature and housebreaking. These charges resulted from a young Aiken woman reporting to police that she had been abducted from her home on March 30 and taken to a wooded area near North Augusta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



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 on 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 Mettis announced Wednesday that two Aiken men—Allen Eugene Kneece, 22, and Billy McIntosh, 19—had been charged with her murder.

Mettis 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," Mettis 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. Mettis 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.

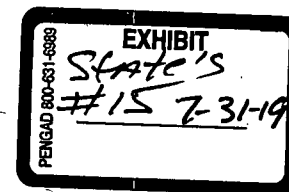
"If she were planning to run away from the wedding she wouldn't have bought the gown," he said.

"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 Bette; Greenwood Regional Our Little



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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 kidnapping 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 kidnapping. 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-

napping and accessory after the fact of murder. Circuit Judge Rodney Peeples postponed sentencing.

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

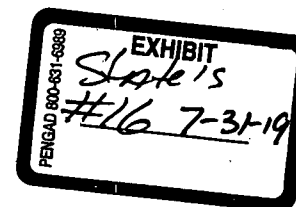
Edwards said he was on vacation when McIntosh called him at home from the jail and asked Edwards to meet with him.

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.



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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

EXHIBIT
State's
#18 7-31-79
PENGLIN 800-431-6089

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

By Al Linder
GREENWOOD, S.C. (AP)—The House of Representatives today urged the Senate to speed its passage of bills to end the 1977 session by mid-May.

"I think the legislature must knuckle down and get the job done," said House Speaker James C. Edwards. "We have a lot of bills to pass and we need to get them done by mid-May."

The House passed a resolution today urging the Senate to pass bills by May 15. The resolution also urged the Senate to pass bills by May 15.

The House passed a resolution today urging the Senate to pass bills by May 15. The resolution also urged the Senate to pass bills by May 15.

Two Aiken men charged with Heinig's murder

GREENWOOD, S.C. (AP)—Two men from Aiken were charged today with the murder of a man who was shot to death in a parking lot in Aiken.

The two men, who are in their late 20s, were charged with first-degree murder. They were charged with the murder of a man who was shot to death in a parking lot in Aiken.

The two men, who are in their late 20s, were charged with first-degree murder. They were charged with the murder of a man who was shot to death in a parking lot in Aiken.

Newspaper charged with bias

By Al Linder
GREENWOOD, S.C. (AP)—A newspaper editor today charged that a local newspaper was biased in its coverage of a local issue.

The editor, who is in his 40s, said that the newspaper had been biased in its coverage of a local issue. He said that the newspaper had been biased in its coverage of a local issue.

The editor, who is in his 40s, said that the newspaper had been biased in its coverage of a local issue. He said that the newspaper had been biased in its coverage of a local issue.



Our Little Miss winners

Winners of the 1977 'Our Little Miss' contest were announced today. The winners are as follows:

First Place: [Name], daughter of [Name] and [Name].

Second Place: [Name], daughter of [Name] and [Name].

Third Place: [Name], daughter of [Name] and [Name].

Fourth Place: [Name], daughter of [Name] and [Name].

THE NEW MANAGEMENT OF
HUNGRY BULL OF GREENWOOD

INVITES YOU TO TAKE
THE STEAK TEST
CAN OTHER STEAK HOUSES PASS IT?

- Is their steak U.S.D.A. graded Choice?
- Is it Western Beef, from the West cattle-raising country?
- Is it from Illinois, not Indiana?
- Is it fresh and daily, never frozen?
- Do they tell you what the steak will cost?
- Do you get a real steak, like McDonald's, at a substantially lower price?

If the answer to any of these questions is "NO," you need to try our Hungry Bull. Where the answer is "YES."

PLUS—HUNGRY BULL SUPER SALAD BAR

If you prefer a salad, you'll find our salad bar is the largest salad bar in the area.

HUNGRY BULL
STEAK HOUSE

222-8934

Best of
FALL

SLACKS (One Group)	\$1.99
SLACKS 6-18	\$2.99
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
Poncho Tops	\$3.99
Blouses	\$4.99
Bow Tie Blouses	\$5.99
Pantsuits (2 pc.) 6-18	\$9.95
Pantsuits (2 pc.) 32-40	\$10.95
Pantsuits (2 pc.) 16-32	\$16.95
Shells	\$3.99
Blue Jeans	\$9.95

By Pass 72 (located in front of Sky City Shopping Center)
Tel: 222-8934

EXHIBIT
State's
#19 7-31-19
FENGAD 800-851-8888

121
121
April 6, 1977 The Index-Journal (Greenwood, South Carolina)

Body found in wooded area in Lexington

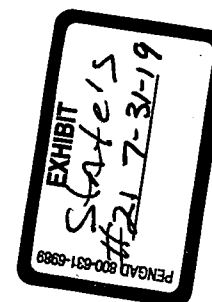
COLUMBIA (AP)—A badly decomposed body found in a wooded area of Lexington County was identified Tuesday night as 20-year-old Joyce Ann Heinig of Augusta, who disappeared on the day before she was to be married.

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.



Page 2 Aiken Standard, Aiken, S.C., Friday, September 16, 1977

Deaths And Funerals

Mrs. Rita S. Furr
LAWLEY, Mrs. Rita S. Furr, 64, of 1001 S. 1st St., died Thursday at residence. Funeral services will be at 1:30 p.m. at First Presbyterian Church, 1001 S. 1st St., with Rev. J. H. L. L. officiating. Burial will be in the cemetery.

James A. Hendrix
JUNIOR, James A. Hendrix, 60, of 1001 S. 1st St., died Thursday at residence. Funeral services will be at 1:30 p.m. at First Presbyterian Church, 1001 S. 1st St., with Rev. J. H. L. L. officiating. Burial will be in the cemetery.

Joe Dennis Corley
AUGUSTA - Joe Dennis Corley, 63, of 1001 S. 1st St., died Thursday at residence. Funeral services will be at 1:30 p.m. at First Presbyterian Church, 1001 S. 1st St., with Rev. J. H. L. L. officiating. Burial will be in the cemetery.

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For The Record

The records of the Aiken Standard for the week of September 12-16, 1977, are as follows: ...

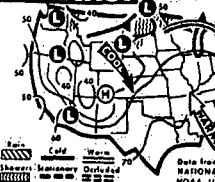
Community Calendar

9:00 a.m. - Aiken ...
10:00 a.m. - Aiken ...
11:00 a.m. - Aiken ...

Bert Lance

... Bert Lance ...
... Bert Lance ...
... Bert Lance ...

FORECAST



NATIONWIDE WEATHER FORECAST
Warm weather is predicted today for the eastern half of the country, except for the Northeast. Cool weather is expected for the remainder of the nation. Showers are expected for Florida, the Northeast, the Midwest and the northern Rockies. A few showers are expected for the South and the West.



TENDER LOVING CARE
The baby squirrel is one of three being raised in the Society For Prevention of Cruelty to Animals (SPCA) by Mary Yoder. Anyone attempting to raise wild animals as pets can contact the SPCA for information on this proper care of the animals. (Staff Photo by Henry Hill)

State Wants Tickets From Aiken, N. Ellenton

COLUMBIA (AP) - Aiken and N. Ellenton are being asked to provide tickets for the state's new highway system. The tickets are to be used for the new highway system and are to be provided to the state by the local governments. The tickets are to be provided to the state by the local governments and are to be used for the new highway system.

Busbee Says Aiken's Tickets Are Coming

Aiken's tickets for the new highway system are coming. The tickets are to be provided to the state by the local governments and are to be used for the new highway system. The tickets are to be provided to the state by the local governments and are to be used for the new highway system.

Kneec Given 18-Year Sentence

Dennis Kneec, 32, of Aiken, was given an 18-year sentence for the murder of a woman. The sentence was given by the jury and is the longest sentence ever given in the history of the state. The sentence was given by the jury and is the longest sentence ever given in the history of the state.

Local Bankers

Local bankers are meeting to discuss the future of the banking industry. The meeting is being held in Aiken and is attended by representatives from the local banks. The meeting is being held in Aiken and is attended by representatives from the local banks.

GOING TO HILTON HEAD?

WHY NOT RENT MY SEA CABIN CONDOMINIUM?
RENTAL RATES
MARCH 18 - NOVEMBER 1
4 Days/3 Nights \$100
7 Days/6 Nights \$195
It's a beautifully furnished and fully equipped - even with a personal bar. You'll love it - I did it's located in the heart of Hilton Head, near to the beach. One night will make you a Cape Fear. Call for rental agreement for reservations or information - 803/765-7081 or write: P.O. Box 510, Hilton Head Island, S.C. 29928. Sea Cabin: Hilton Head's newest condominium.

Federal Judge Won't Accept Guilty Plea

ALABAMA (AP) - A federal judge has refused to accept a guilty plea from a man charged with the murder of a woman. The judge said that the man's plea was not voluntary and that he was not competent to plead guilty. The judge said that the man's plea was not voluntary and that he was not competent to plead guilty.

PK's Pay

PK's Pay ...
PK's Pay ...
PK's Pay ...

MONETTA DRIVE-IN

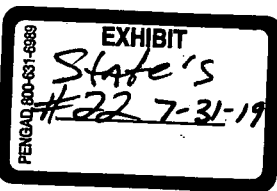
MONETTA DRIVE-IN ...
MONETTA DRIVE-IN ...
MONETTA DRIVE-IN ...

"BIG BAD MAMA"

"BIG BAD MAMA" ...
"BIG BAD MAMA" ...
"BIG BAD MAMA" ...

Empire of the Ants

Empire of the Ants
SHOWS FRI., SAT. & SUN. AT 7:30 P.M.
SHOWS MON. THRU THURS. AT 7:00 P.M.
LATE FLICK
FRI. & SAT. AT 11 P.M.
ALL SEATS \$2.00
ADVANCE TICKETS \$1.00
PETER FONDA
Fighting MAD



Inside Today



Portrait of a man, likely a local figure mentioned in the 'Inside Today' section.

Portrait of a man, likely a local figure mentioned in the 'Inside Today' section.

Portrait of a man, likely a local figure mentioned in the 'Inside Today' section.

What's Going On

Radio Waves U.S. Arms Aid

Radio waves are being used to transmit U.S. arms aid to the Soviet Union, according to a report from the Soviet Union. The report states that the Soviet Union has received a large quantity of U.S. arms aid, including rifles, machine guns, and other weapons. The report also states that the Soviet Union has received a large quantity of U.S. ammunition, including bullets and shells. The report is believed to be a Soviet propaganda effort to claim that the U.S. is providing arms aid to the Soviet Union.

Bill Calendars Showcases Power

A new calendar of bills introduced in the U.S. House of Representatives is being distributed to members of the House. The calendar is designed to show the progress of bills and to provide a visual representation of the legislative process. The calendar is being distributed to members of the House as a way to keep them informed of the status of bills and to provide a visual representation of the legislative process.

Curry Expected To Sign Bill

Senator Curry is expected to sign a bill that would provide for the construction of a new highway bridge over the Savannah River. The bill is being introduced by Senator Curry and is expected to be signed by the President. The bridge is being constructed as part of a larger highway program and is expected to be completed in the near future.

Congress Must Vote On Pay Raise

The U.S. House of Representatives must vote on a bill that would provide for a pay raise for members of the House. The bill is being introduced by a member of the House and is expected to be voted on in the near future. The pay raise is being proposed as a way to compensate members of the House for their service.

Locals Worried May Fly Area

Locals in the May Fly area are worried that the area may be affected by a proposed development. The development is being proposed by a local developer and is expected to be completed in the near future. The development is being proposed as a way to provide for the needs of the local community.

Have You Heard?

Have you heard about the new development in the May Fly area? The development is being proposed by a local developer and is expected to be completed in the near future. The development is being proposed as a way to provide for the needs of the local community.

Missing Fiancee

Mullis: It's A Mystery To Me

It's a mystery to me why my fiancée, Mullis, has disappeared. I have been looking for her everywhere and have not been able to find her. I am very worried about her and hope that she is safe. I have been looking for her everywhere and have not been able to find her. I am very worried about her and hope that she is safe.



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 the May Fly area. The body is believed to be that of Miss Heinig, a local woman who has been missing for some time. The police are currently investigating the case and hope to identify the body in the near future.

Lightning, Hail Force Plane Down

A small plane was forced to land in the May Fly area due to severe weather conditions. The plane was hit by lightning and hail, which caused it to lose control. The pilot was safely evacuated and the plane was damaged. The weather conditions were very dangerous and the pilot was lucky to escape with his life.

Psychiatrists, PTA's, Churches Upset Over Television Violence

Psychiatrists, PTA's, and churches are upset over the amount of violence shown on television. They believe that the violence is harmful to children and is causing them to become more aggressive. They are calling for stricter regulations on television programming and for parents to monitor their children's viewing habits.



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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 1½ 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)

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...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.

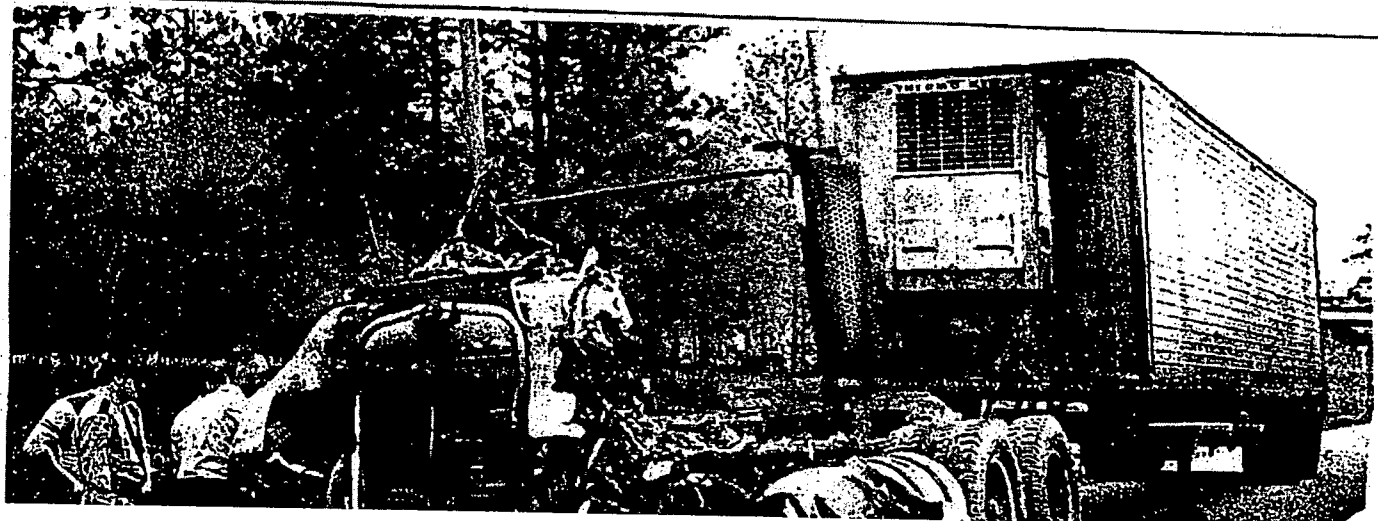
Authorities still have a missing person's report out on Miss Heinig, and the burning of the automobile is still under investigation.

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



129

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



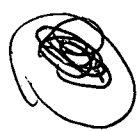
Tip Aids Discovery

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 boyfriend'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.

APPELLATE'S CERTIFICATE OF RECORD ON APPEAL

I, Billy Wayne McIntosh, hereby certify that this Record on Appeal is an accurate record of all matter in this appeal and does not contain anything not relevant. This Record contains the Title page plus 130 pages.

DATE: 4-19-21

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