

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF YORK	)	SIXTEENTH JUDICIAL CIRCUIT
	)	C.A.: 2018-CP-46-1650
	)	
Christopher Woody, #309141,	)	
Applicant.	)	
	)	
vs.	)	AFFIDAVIT OF APPLICANT
	)	CHRISTOPHER WOODY
State of South Carolina	)	

I, Christopher Woody, Applicant in the above captioned case, being over the age of eighteen years, and a prisoner at Broad River Correctional Institution, swear and/or affirm the following to be true:

While preparing my federal *habeas corpus* petition in 2017, I had an enlightening conversation with my attorney. I asked him if there was such a thing as a STATE *habeas corpus*. He informed me that while it's possible to file one, no one ever really wins those. He shared that the last time he heard about someone getting relief from filing the state *habeas corpus* was due to the fact that the judge went into the jury room during deliberations and spoke to them outside of the courtroom setting. We then discussed the known and seemingly accepted corruption of York County, and he admitted he wouldn't be surprised if something like that happened there. I did not believe the judge would put himself in that position, but after denying my right to counsel, withholding evidence and encouraging/suborning perjury, I had no doubt the 16th Circuit solicitor's office was capable of this crime. Even with documented evidence of the aforementioned violations, the ineffective assistance of my previous counsel allowed the 16th circuit to sweep all of it under the rug.

My attorney told me that uncovering that type of violation would definitely get me out of prison quickly, and that the state would jump at the chance to make that go away so that further investigation into those practices wouldn't start the "shit storm" of attempting to have all of the guilty solicitor's trials and cases questioned and reopened. He then advised me not to waste time attempting to go this route because, even if it was true, I would never get the evidence.

When questioning him about why he felt this way, his response was that the prosecutor would never admit to jury tampering and jurors would not admit anything happened that would inconvenience them with any type of jury responsibilities again. He explained that jurors may not be legal experts, but they know when something feels wrong. And even when something feels sketchy, they will rarely speak up against a prosecutor understanding the power the office of Solicitor holds. I then explained to him how emotional my jury was, to the point a jury member had to be consoled. I also explained that I chose psychology as a major in college because I enjoy observing people's behavior, and I could clearly perceive that this was not a jury who believed they were rightfully sending a guilty murderer to prison. There was no righteous indignation, judging eyes or anger at my actions. All I saw was pity, confusion and shame from the ones brave enough to look at me. I knew something was amiss, but I thought it was mainly the complexity and stress of the trial and the intimidation by the deceased man's family.

There is no way I could have KNOWN that those tasked with upholding and enforcing the law would indulge in such criminal activity to secure a victory in court, until receiving the report from Kathy Broom.

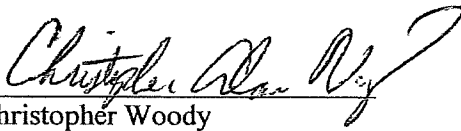
Further contemplating the facts of how someone succeeded with a state *habeas corpus* and the willingness shown to violate my constitutional rights by the law enforcement community of York County, my desperation for freedom inspired me. The idea was to assume someone had indeed violated the sanctity of the jury. From this foundation, I decided to formulate the questions **AS IF** I already knew what happened and was looking for corroboration. While my mother worked on finding a private investigator

willing to do what we asked, I came up with a sequence of questions designed to further prove I was not afforded the right to a fair trial. The affidavit by Kathy Broom and the corroboration of someone entering the jury room in the affidavit by Wyatt Thompson are the results of this idea.

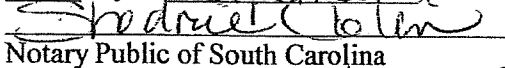
After receiving the evidence of jury impropriety in the mail, I thought I had until August 17, 2018, to file something in court. I assumed the attorney who unintentionally led me to this evidence would jump at the chance for more money and an easy win, but I was mistaken. At the next meeting with my lawyer, his confident intelligence was immediately transformed by this knowledge of jury impropriety into something akin to anxiety or fear. He abruptly told me that he could no longer represent me, and I have not seen him since.

Around that time, there was a lot of talk about prisoners' legal mail being misplaced, lost and/or thrown away at the BRCI mailroom and all over SCDC, and I expressed this concern to my mother. We viewed this as just another instance of the South Carolina legal system protecting itself with more corrupt/conveniently negligent practices. My then lawyer's trepidation joined with how people were submitting legal work from prison and having such problems led us to attempt to assure there were no filing issues. Being ignorant of the law and legal proceedings, I attempted to file the *habeas corpus* in the South Carolina Supreme Court. My reason for going straight to the Supreme Court is that I thought it was foolish to expect the 16th Circuit, which has previously violated my right to due process, to all of a sudden decide to do the right thing. My thinking was along the lines of, "How can the same ones who illegally convicted me be expected to correct the issue when a willful criminal act was committed instead of a mistake?" With such damning proof of prosecutor malfeasance in violating (or negligence in protecting) my right to a fair trial and an impartial jury, we suspected the state may resort to underhanded tactics to try to once again hide an instance of prosecutorial misconduct. We expected to bypass those tactics and problems with the mailroom by hiring an out of state attorney (McPheeters) to hand deliver the writ of *habeas corpus*.

During my visit with MCPheeters on May 25, 2018, he informed me that he understood my thinking, but the law states that I had to file a PCR application in the lower court. He informed me that I had a deadline of May 31, 2018. I expeditiously threw together the application and had the Notary Public, who was also the mailperson, notarize my signing of the PCR application, then date and time stamp the document for delivery. I legally met my deadline when I dropped it off in the BRCI mailroom on May 29, 2018. The fact that the postmarked envelope has been replaced in my filed documents with documents from case number 2018-CP-46-1655 shows, at best, negligent filing practices and, at worst, the corruption citizens face with South Carolina's "justice" system. From my perspective, this act is even more validation of the state's willingness to illegally secure and maintain a conviction. Instead of attempting to hold me, at the time a *pro se* petitioner in prison, to a standard of professionalism or thwart justice by concocting a nonexistent procedural error to keep me in prison, law enforcement should be focused on crimes committed by prosecutors and righting the wrongs suffered by a US citizen due to the violation of his 6th amendment rights.


Christopher Woody

Subscribed and sworn before me this the
3 day of September, 2021.


Notary Public of South Carolina

My Commission Expires: June 15, 2031

STATE OF SOUTH CAROLINA
COUNTY OF YORK

Court Info
STATE OF SOUTH CAROLINA
VS
CHRISTOPHER WOODY

H596625

AFFIDAVIT OF KATHY BROOM

KATHY BROOM, being duly sworn, being competent to testify and having personal knowledge of the matters stated herein, says and alleges as follows:

1. I am a Private Investigator hired to interview the jurors in the murder trial of May 2005 regarding The State of South Carolina vs Christopher Woody
2. On May 31st 2017 I spoke with NATASHA VALAREE PAIGE over the phone.
3. During the phone conversations KATHY BROOM asked NATASHA VALAREE PAIGE 3 questions.

1) Do you remember the murder trial of May 2005 in York County SC at the Moss Justice Center

2) Were you one of the jurors who submitted a note about family of the victim talking to you? If so what did you write on the note?

3) When the solicitor was in the deliberation room, what did he ask or tell you.

Per my conversation with NATASHA VALAREE PAIGE she stated the following:

- I was not the person that sent the note, but I did talk to someone. I think it was a security guard or a bailiff. I asked to be escorted out of the building because the victim's family was approaching the jurors. When the jurors were passing by the family would try to intimidate them. I was scared and in tears.
- I do not feel he would have been found guilty until the white guy came into the juror room. The white guy stated "if you have any doubt you have to convict" The white guy explained reasonable doubt.

- I feel like things were not handled properly. The white guy with brown hair came into the room and explained things. But it was more confusing.
- The Defendants attorney kept confusing the names of the defendant and the victim. This made things confusing.
- I remember a note that was sent out, but I do not remember who it was that sent it. But it was the person that got into an altercation. The first day nothing was done. The second day security walked to court.
- There was a African American male juror that said he was guilty and was ready to leave because it was too much for him even before going over the evidence.
- The intimidation from the family swayed the vote. Not all but at least 2-3 voted to get it over with.

FURTHER, Affiant sayeth naught.

This the 31 day of AUGUST 2017.

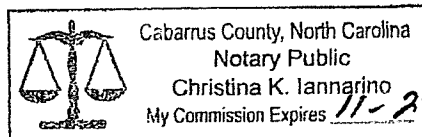
Kathy Broom
KATHY BROOM
Affiant

Signed and sworn to before me this day by KATHY BROOM
(name of principal)

Date: AUGUST 31, 2017 Christina K. Iannarino
Notary Public

(Official Seal)

My Commission Expires: NOVEMBER 27, 2020



11-27-2020

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

Court Info
State of South Carolina
VS
Christopher Woody
H596625

AFFIDAVIT OF WAYTT THOMPSON

WYATT THOMPSON, being duly sworn, being competent to testify and having personal knowledge of the matters stated herein, says and alleges as follows:

1. I am a Private Investigator NC License #3179 , hired by Eagle Eye Investigations Group, LLC to interview possible witnesses/ jurors in the murder trial of May 2005 regarding The State of South Carolina vs Christopher Woody . I am over the age of 18 and am not related to any of the parties in this matter and do not have any personal or professional relationship with any of the parties.

2. Eagle Eye was retained by Regina Moore to locate possible witnesses/jurors in the murder trial of May 2005 regarding The State of South Carolina vs Christopher Woody

3. Eagle Eye utilized various electronic databases in an attempt to locate any possible addresses for **Audray Baker**.

4. On January 30th 2018, I spoke with **Audray Baker** at 921 Saint Paul Church Road, Clover, SC 29710. She agreed to answer the provided questions to the best of her ability. She can best be described as a Caucasian female with short blonde hair. She was small in stature and told the investigator she was 70 years old.

5. Do you remember the murder trial on May 2005 in York County at Moss Justice Center?

She stated she thought the trial was in Rock Hill SC. She was on the jury but could not remember the name of the building or swear to the exact location. The case she remembered was concerning two young black males and was drug related. The man was found guilty of shooting the victim. The shooter went to prison.

6. Were you one of the jurors who submitted a note about family of the victim talking to you? If so, what did you write on the note?

Ms. Baker stated she was not that person.

7. When the solicitor (Thomas Pope or Willy Thompson) was in the deliberation (jury) room, what did he ask you or tell you?

They did not speak to me. She stated when the man came into the room he asked the head juror had they reached a verdict. The head juror stated no and ask for some information to clarify some issues. Ms Baker stated that one young female was the only hold out for not guilty and that everyone else had voted guilty. Ms Baker stated the female that held out said she was not sure and didn't want to ruin his life. After more deliberations the female hold out decided to vote guilty and they had a unanimous decision.

8. Do you recognize either of these two people (see attached photos) as someone that entered the deliberation (jury) room?

The investigator presented the photos. Ms Baker looked at the photos and said she did not remember the people in the photos.

FURTHER, Affiant sayeth naught.

This the 30 day of MARCH 2018.

Wyatt Thompson
WYATT THOMPSON
Affiant

Cleveland County, North Carolina

Signed and sworn to before me this day by Wyatt Thompson
(name of principal)

Date: 03/30/2018

Brittney W. Clark
Notary Public

My Commission Expires: 04/06/2022

