

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
00 CRS 65084, 01 CRS 06334, 35

STATE OF NORTH CAROLINA

v.

DAMIAN MIGUEL MILLS

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OPINION

THIS MATTER came on for hearing before the North Carolina Innocence Inquiry Commission (Commission) on December 16, 17, and 18, 2013, pursuant to N.C.G.S. §§ 15A-1460 – 1475. After careful review of the evidence presented, the Commission hereby makes and enters the following findings of fact:

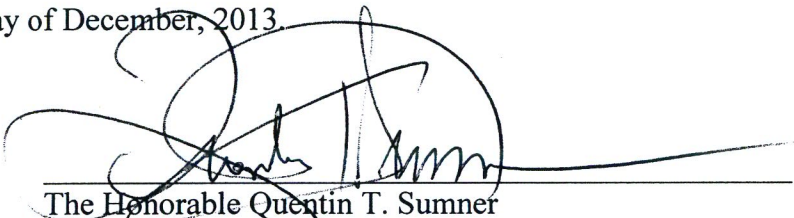
1. On September 18, 2000, Walter Bowman was shot and killed while in his home at 74 Church Road, Fairview, North Carolina.
2. On June 26, 2001, Damian Mills (Mills) pled guilty to Second Degree Murder, Attempted Armed Robbery, Conspiracy to Commit Armed Robbery related to the homicide of Walter Bowman. Mills was sentenced to 120-153 months in the presumptive range.
3. On May 10, 2012, Mills submitted a questionnaire and consent form to the Commission. Mills asserted his complete factual innocence related to the homicide of Walter Bowman and the Commission began an inquiry pursuant to Article 92, Chapter 15A, of the General Statutes.
4. On December 16, 17, and 18, 2013, the Commission held a full evidentiary hearing in this matter pursuant to N.C.G.S. § 15A-1468.
5. During the hearing, the Commission considered testimonial and documentary evidence. The evidence included, among other things:

- a. A 136 page brief provided to the Commission by the staff before the hearing;
- b. Supplemental documentation provided during the hearing;
- c. Live testimony by Commission Associate Director Sharon Stellato, Commission Associate Counsel Lindsey Guice Smith, Meghan Clement (an expert in Serology and DNA testing), Timothy Baize (an expert in DNA testing), Attorney Stephen Cash, Claimant Teddy Isbell, Claimant Larry Williams, and Claimant Damian Mills;
- d. Affidavits from Confession Reliability Expert Steven Drizin, Car Expert John Flory, Buncombe County Sheriff's Office Major Glen Matayabas, DEA Agent Barnabas Whiteis, and Attorneys James Siemens, Haley Haynes, Stan Young, Paul Bidwell, Leah Broker, and William McDowell; and
- e. A Statement provided by Buncombe County Assistant District Attorney Kate Dreher.

6. After carefully considering this evidence, the Commission has concluded that there is not sufficient evidence of factual innocence to merit judicial review.

WHEREFORE, pursuant to N.C.G.S. § 15A-1468(c), the above captioned case is now closed and a copy of this opinion is filed with the Buncombe County Clerk of Superior Court and delivered to the Buncombe County District Attorney's Office and the Honorable Alan Z. Thornburg, Buncombe County Senior Resident Superior Court Judge.

This the 18th day of December, 2013.



The Honorable Quentin T. Sumner
Senior Resident Superior Court Judge, Nash County
Chairman, North Carolina Innocence Inquiry Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing *Order* was served upon the following persons by depositing a copy of the same, postage pre-paid, in an official depository of the United States Postal Service, addressed as follows:

The Honorable Ronald Moore
Buncombe County District Attorney
P.O. Box 7158
Asheville, NC 28802

Ms. Kate Dreher
Senior Assistant District Attorney
Buncombe County District Attorney's Office
P.O. Box 7158
Asheville, NC 28802

Mr. Frank Goldsmith, Esq.
Goldsmith, Goldsmith & Dews, P.A.
P.O. Box 1107
Marion, NC 28752

This the 20th day of December, 2013.

NORTH CAROLINA INNOCENCE INQUIRY COMMISSION



Kendra Montgomery-Blinn
Executive Director
North Carolina Innocence Inquiry Commission
Post Office Box 2448
Raleigh, North Carolina 27602
Telephone: (919) 890-1580
Facsimile: (919) 890-1937

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
00 CRS 65085

STATE OF NORTH CAROLINA

v.

LARRY JEROME WILLIAMS, JR.

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OPINION

THIS MATTER came on for hearing before the North Carolina Innocence Inquiry Commission (Commission) on December 16, 17, and 18, 2013, pursuant to N.C.G.S. §§ 15A-1460 – 1475. After careful review of the evidence presented, the Commission hereby makes and enters the following findings of fact:

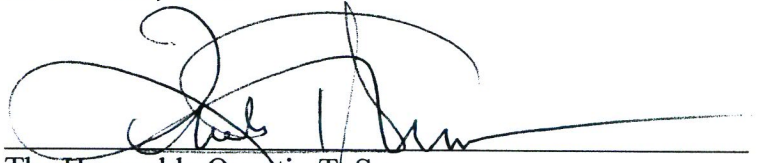
1. On September 18, 2000, Walter Bowman was shot and killed while in his home at 74 Church Road, Fairview, North Carolina.
2. On February 25, 2002, Larry Williams (Williams) pled guilty to Second Degree Murder related to the homicide of Walter Bowman. Williams was sentenced to 100-129 months in the mitigated range.
3. On April 27, 2012, Williams submitted a questionnaire and consent form to the Commission. Williams asserted his complete factual innocence related to the homicide of Walter Bowman and the Commission began an inquiry pursuant to Article 92, Chapter 15A, of the General Statutes.
4. On December 16, 17, and 18, 2013, the Commission held a full evidentiary hearing in this matter pursuant to N.C.G.S. § 15A-1468.
5. During the hearing, the Commission considered testimonial and documentary evidence. The evidence included, among other things:

- a. A 136 page brief provided to the Commission by the staff before the hearing;
- b. Supplemental documentation provided during the hearing;
- c. Live testimony by Commission Associate Director Sharon Stellato, Commission Associate Counsel Lindsey Guice Smith, Meghan Clement (an expert in Serology and DNA testing), Timothy Baize (an expert in DNA testing), Attorney Stephen Cash, Claimant Teddy Isbell, Claimant Larry Williams, and Claimant Damian Mills;
- d. Affidavits from Confession Reliability Expert Steven Drizin, Car Expert John Flory, Buncombe County Sheriff's Office Major Glen Matayabas, DEA Agent Barnabas Whiteis, and Attorneys James Siemens, Haley Haynes, Stan Young, Paul Bidwell, Leah Broker, and William McDowell; and
- e. A Statement provided by Buncombe County Assistant District Attorney Kate Dreher.

6. After carefully considering this evidence, the Commission has concluded that there is not sufficient evidence of factual innocence to merit judicial review.

WHEREFORE, pursuant to N.C.G.S. § 15A-1468(c), the above captioned case is now closed and a copy of this opinion is filed with the Buncombe County Clerk of Superior Court and delivered to the Buncombe County District Attorney's Office and the Honorable Alan Z. Thornburg, Buncombe County Senior Resident Superior Court Judge.

This the 18th day of December, 2013.



The Honorable Quentin T. Sumner
Senior Resident Superior Court Judge, Nash County
Chairman, North Carolina Innocence Inquiry Commission

CERTIFICATE OF SERVICE

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The Honorable Ronald Moore
Buncombe County District Attorney
P.O. Box 7158
Asheville, NC 28802

Ms. Kate Dreher
Senior Assistant District Attorney
Buncombe County District Attorney's Office
P.O. Box 7158
Asheville, NC 28802

Mr. W. Bradford Searson, Esq.
Cloninger, Barbour, Searson, & Jones, PLLC
21 Battery Park Avenue, Suite 201
Asheville, NC 28801

This the 20th day of December, 2013.

NORTH CAROLINA INNOCENCE INQUIRY COMMISSION



Kendra Montgomery-Blinn
Executive Director
North Carolina Innocence Inquiry Commission
Post Office Box 2448
Raleigh, North Carolina 27602
Telephone: (919) 890-1580
Facsimile: (919) 890-1937

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
03 CRS 93

STATE OF NORTH CAROLINA

v.

TEDDY LAMONT ISBELL

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OPINION

THIS MATTER came on for hearing before the North Carolina Innocence Inquiry Commission (Commission) on December 16, 17, and 18, 2013, pursuant to N.C.G.S. §§ 15A-1460 – 1475. After careful review of the evidence presented, the Commission hereby makes and enters the following findings of fact:

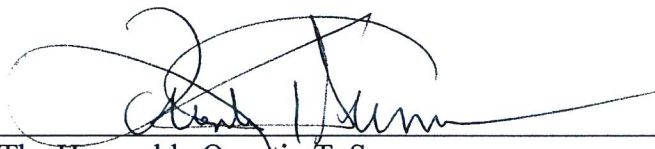
1. On September 18, 2000, Walter Bowman was shot and killed while in his home at 74 Church Road, Fairview, North Carolina.
2. On December 11, 2003, Teddy Isbell (Isbell) pled guilty to Conspiracy to Commit Armed Robbery related to the homicide of Walter Bowman. Isbell was sentenced to 66-89 months in the aggravated range.
3. On May 20, 2012, Isbell submitted a questionnaire and consent form to the Commission. Isbell asserted his complete factual innocence related to the homicide of Walter Bowman and the Commission began an inquiry pursuant to Article 92, Chapter 15A, of the General Statutes.
4. On December 16, 17, and 18, 2013, the Commission held a full evidentiary hearing in this matter pursuant to N.C.G.S. § 15A-1468.
5. During the hearing, the Commission considered testimonial and documentary evidence. The evidence included, among other things:

- a. A 136 page brief provided to the Commission by the staff before the hearing;
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- c. Live testimony by Commission Associate Director Sharon Stellato, Commission Associate Counsel Lindsey Guice Smith, Meghan Clement (an expert in Serology and DNA testing), Timothy Baize (an expert in DNA testing), Attorney Stephen Cash, Claimant Teddy Isbell, Claimant Larry Williams, and Claimant Damian Mills;
- d. Affidavits from Confession Reliability Expert Steven Drizin, Car Expert John Flory, Buncombe County Sheriff's Office Major Glen Matayabas, DEA Agent Barnabas Whiteis, and Attorneys James Siemens, Haley Haynes, Stan Young, Paul Bidwell, Leah Broker, and William McDowell; and
- e. A Statement provided by Buncombe County Assistant District Attorney Kate Dreher.

6. After carefully considering this evidence, the Commission has concluded that there is not sufficient evidence of factual innocence to merit judicial review.

WHEREFORE, pursuant to N.C.G.S. § 15A-1468(c), the above captioned case is now closed and a copy of this opinion is filed with the Buncombe County Clerk of Superior Court and delivered to the Buncombe County District Attorney's Office and the Honorable Alan Z. Thornburg, Buncombe County Senior Resident Superior Court Judge.

This the 18th day of December, 2013.

A handwritten signature in black ink, appearing to read "Quentin T. Sumner", is written over a horizontal line.

The Honorable Quentin T. Sumner
Senior Resident Superior Court Judge, Nash County
Chairman, North Carolina Innocence Inquiry Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing *Order* was served upon the following persons by depositing a copy of the same, postage pre-paid, in an official depository of the United States Postal Service, addressed as follows:


The Honorable Ronald Moore
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P.O. Box 7158
Asheville, NC 28802

Ms. Kate Dreher
Senior Assistant District Attorney
Buncombe County District Attorney's Office
P.O. Box 7158
Asheville, NC 28802

Mr. Stephen L. Cash, Esq.
Roberts & Stevens, P.A.
PO Box 7647
Asheville, NC 28802

This the 26th day of December, 2013.

NORTH CAROLINA INNOCENCE INQUIRY COMMISSION



Kendra Montgomery-Blinn
Executive Director
North Carolina Innocence Inquiry Commission
Post Office Box 2448
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