

STATE OF NORTH CAROLINA
COUNTY OF COLUMBUS

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
78 CRS 2415-2416

STATE OF NORTH CAROLINA)
)
 v.)
)
 JOSEPH SLEDGE)
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OPINION

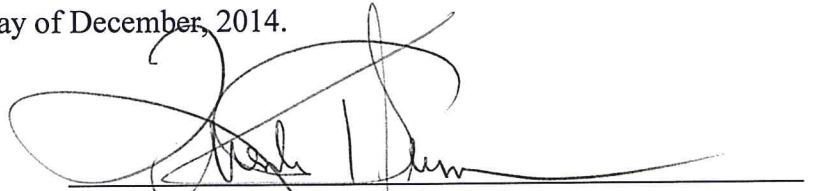
THIS MATTER came on for hearing before the North Carolina Innocence Inquiry Commission (Commission) on December 3, 4 and 5, 2014, pursuant to N.C.G.S. §§ 15A-1460 – 1475. After careful review of the evidence presented, the Commission hereby makes and enters the following findings of fact:

1. On September 6, 1976, Josephine Davis and Aileen Davis were murdered in their home in Elizabethtown, NC.
2. On August 31, 1976, Joseph Sledge (Sledge) was convicted, after a jury trial, of two counts of Second Degree Murder. Sledge was sentenced to Life in prison.
3. On May 20, 2013 the North Carolina Center on Actual Innocence (Center) officially referred this case to the Commission and the Commission began an inquiry pursuant to Article 92, Chapter 15A, of the General Statutes.
4. Throughout the Commission’s inquiry, Sledge has fully cooperated with Commission staff in accordance with N.C.G.S. § 15A-1467(g).
5. On December 3, 4, and 5, 2014, the Commission held a full evidentiary hearing in this matter pursuant to N.C.G.S. § 15A-1468.
6. During the hearing, the Commission considered testimonial and documentary evidence. The evidence included, among other things:

- a. A 323 page brief provided to the Commission by the staff before the hearing;
 - b. Supplemental documentation provided during the hearing; and
 - c. Live testimony by Commission Associate Director Sharon Stellato, Commission Associate Counsel Lindsey Guice Smith, retired Detective Phillip Little, retired Special Agent Henry Poole, Attorney Christine Mumma, Special Agent Chadrick Barefoot, Herman Baker, Fingerprint Expert Marty Ludas, DNA Expert Meghan Clement, DNA Expert Terry Melton, and Claimant Joseph Sledge;
7. After carefully considering this evidence, the Commission has unanimously concluded that there is sufficient evidence of factual innocence to merit judicial review.

WHEREFORE, pursuant to N.C.G.S. § 15A-1469(a), and as Chairman of the Commission, the undersigned refers this case to the Honorable Douglas B. Sasser, Senior Resident Superior Court Judge for Judicial District 13A, and respectfully requests that the Chief Justice of the North Carolina Supreme Court appoint a three-judge panel and issue commissions to its members to convene a special session of the Superior Court in Columbus County to hear evidence relevant to the Commission's recommendation.

This the 5th day of December, 2014.

A handwritten signature in black ink, appearing to read 'Quentin T. Sumner', 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 Jon David
District Attorney
Thirteenth Prosecutorial District
310 Government Center Drive
Bolivia, NC 28422

Ms. Christine Mumma
North Carolina Center on Actual Innocence
P.O. Box 52446
Shannon Plaza Station
Durham, NC 27717-2446

This the 8th day of December, 2014.

**NORTH CAROLINA INNOCENCE
INQUIRY COMMISSION**



Kendra Montgomery-Blinn
Executive Director
North Carolina Innocence Inquiry Commission
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