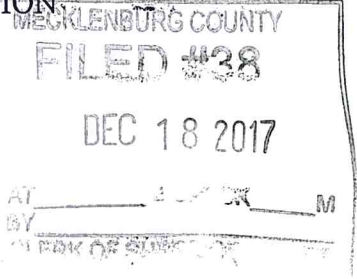


STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
STATE OF NORTH CAROLINA
v.
ISRAEL GRANT

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

05 CRS 244094
05 CRS 76324



DEC 22 2017

OPINION

THIS MATTER came on for hearing before the North Carolina Innocence Inquiry Commission (Commission) on November 29, 2017, 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 August 15, 2005, Jason Taylor and Christina Adcock reported being robbed at gunpoint at the Circle K at 507 Little Rock Road in Charlotte, NC.
2. On August 17, 2007, Israel Grant (Grant) was convicted, after a jury trial, of two counts of Robbery with a Dangerous Weapon and one count of Possession of a Firearm by a Felon. Grant received two consecutive sentences of 103-133 months each for the Robbery With a Dangerous Weapon convictions and a consecutive sentence of 16-20 months for the Possession of a Firearm by a Felon conviction.
3. On May 8, 2015, the Robbery With a Dangerous Weapon charge related to Christina Adcock was vacated through a Motion for Appropriate Relief based on the affidavit of Christina Adcock.
4. On July 16, 2013, Grant applied to the Commission claiming innocence in this case. On March 18, 2014, Attorney Bruce Cunningham officially referred this case to the

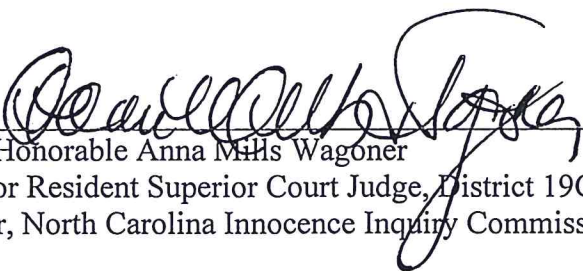
Commission and the Commission began an inquiry pursuant to Article 92, Chapter 15A, of the General Statutes.

5. Throughout the Commission's inquiry, Grant has fully cooperated with Commission staff in accordance with N.C.G.S. § 15A-1467(g).
6. On November 29, 2017, the Commission held a full evidentiary hearing in this matter pursuant to N.C.G.S. § 15A-1468.
7. During the hearing, the Commission considered testimonial and documentary evidence. The evidence included, among other things:
 - a. A 155 page brief provided to the Commission by the Commission's Director prior to the hearing;
 - b. Supplemental documentation, in the form of handouts and a PowerPoint presentation, provided during the hearing;
 - c. Live testimony by Commission Staff Attorney Brian Ziegler, Commission Grant Staff Attorney Catherine Matoian, witness Marquis Funderburk, witness Christina Adcock, witness Jason Taylor, and Claimant Israel Grant; and
 - d. Affidavits from defense attorney Bruce Cunningham, defense attorney Reggie McKnight, and District Attorney R. Andrew Murray, Private Investigator Ross English, Mecklenburg County Jail Records Custodian Polly Davis, and
8. 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-1468(c), and as Chair of the Commission, the undersigned refers this case to the Honorable W. Robert Bell, Senior Resident Superior Court

Judge for Judicial District 26, 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 Superior Court of Mecklenburg County to hear evidence relevant to the Commission's recommendation.

This the 29th day of November, 2017.



The Honorable Anna Mills Wagoner
Senior Resident Superior Court Judge, District 19C
Chair, North Carolina Innocence Inquiry Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing *Opinion* 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:

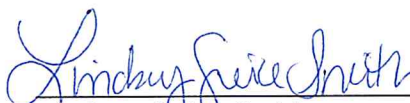
The Honorable W. Robert Bell
Senior Resident Superior Court Judge, District 26
832 East Fourth Street, Suite 9600
Charlotte, NC 28202

The Honorable Spencer Merriweather
District Attorney, 26th Judicial District
700 East Trade Street
Charlotte, NC 28202

Mr. Christopher Fialko
Fialko Law PLLC
227 West 4th Street, Suite 318
Charlotte, NC 28202

This the 30th day of November, 2017.

NORTH CAROLINA INNOCENCE INQUIRY COMMISSION



Lindsey Guice Smith
Executive Director
North Carolina Innocence Inquiry Commission
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