

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, JR.)

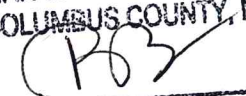
DECISION OF THE THREE-JUDGE PANEL PURSUANT TO N.C. GEN. STAT. §15A-1469

THESE MATTERS came on for hearing before the undersigned Judges of the Superior Court sitting as a Three-Judge panel appointed by the Chief Justice of Supreme Court of North Carolina pursuant to N.C. Gen. Stat. §15A-1469(a) at a special session of the Columbus County Superior Court to hear evidence relevant to the North Carolina Innocence Inquiry's recommendation in the case of the State of North Carolina v. Joseph Sledge, Jr., File Numbers 78 CRS 2415-2416.

The State of North Carolina was represented by District Attorney Jonathan David. Joseph Sledge, Jr., the convicted person, was present at all times and was represented by attorney Christine Mumma, Executive Director of the North Carolina Center on Actual Innocence. Evidence submitted to the undersigned Judges for review and consideration prior to the hearing included the brief prepared by the Innocence Inquiry Commission staff (Hearing Exhibit 1), the transcript of the Innocence Inquiry Commission hearing held on December 3-5, 2014 (Hearing Exhibit 2), the hearing handouts from the North Carolina Innocence Inquiry Commission (Hearing Exhibit 3), the opinion of the North Carolina Innocence Inquiry Commission (Hearing Exhibit 4), and the Plea for Declaration of Innocence filed by Joseph Sledge, Jr. (Hearing Exhibit 5). The Court also considered hearing testimony, and related exhibits, given by Deputy Clerk of Court for Columbus County, Rita Batchelor, and Forensic Scientist Meghan Clement, which established the chain-of-custody of relevant evidence.

Upon review of the evidence, District Attorney Jonathan David joined the defense motion to dismiss the murder charges against Joseph Sledge, Jr. with prejudice on the basis of innocence, pursuant to N.C. Gen. Stat. §15A-1469(b).

N.C. Gen. Stat. § 15A-1460(1) provides that a "claim of factual innocence" means a "claim on behalf of a living person convicted of a felony in the General Court of Justice of the State of North Carolina, asserting the complete innocence of any criminal responsibility for the felony for which the person was convicted and for any other reduced level of criminal responsibility relating to the crime, and for which there is some credible, verifiable evidence of innocence that has not previously been presented at trial or considered at a hearing granted through post-conviction relief."

A TRUE COPY
CLERK OF SUPERIOR COURT
COLUMBUS COUNTY, NC
BY 
Assistant, Deputy, Clerk Superior Court

N.C. Gen. Stat. § 15A-1469(h) provides that the “three-judge panel shall rule as to whether the convicted person has proven by clear and convincing evidence that the convicted person is innocent of the charges. Such a determination shall require a unanimous vote. If the vote is unanimous, the panel shall enter a dismissal of all or any of the charges. If the vote is not unanimous, the panel shall deny relief.


N.C. Gen. Stat. § 15A-1470 provides that there is no right to any further review of the decision of the three-judge panel, but the convicted person retains the right to other post-conviction relief.

The panel members have now considered N.C Gen. Stat. § 15A-1460, *et. seq.*, and all of the evidence presented and the arguments of counsel for the State and Joseph Sledge, Jr. the convicted person. The matter is now ripe for decision.

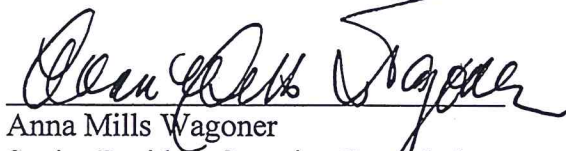
The unanimous decision of the three-judge panel of the Superior Court judges is that the defendant, Joseph Sledge, Jr., the convicted person, has proved by clear and convincing evidence that he is innocent of the murders of Josephine and Aileen Davis in Bladen County on September 6, 1976.

IT IS THEREFORE ORDERED, pursuant to the decision of the three-judge panel and N.C. Gen. Stat. § 15A-1469, that the relief sought by the convicted person, Joseph Sledge, Jr., is granted and that the charges for the murder of Josephine and Aileen Davis on September 6, 1976 are hereby DISMISSED. IT IS FURTHER ORDERED that Joseph Sledge, Jr. be immediately released from custody. The Clerk of Court shall furnish a certified copy of this decision to the Department of Public Safety, Combined Records Section.

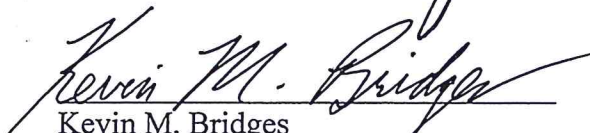
This the 23rd day of January, 2015.



Thomas H. Lock
Senior Resident Superior Court Judge



Anna Mills Wagoner
Senior Resident Superior Court Judge



Kevin M. Bridges
Senior Resident Superior Court Judge