

State v. Clarence Roberts
13 CRS 3511, 13 CRS 54359 (Robeson)

August 15-17, 2023



#### **Standard of Review:**

N.C.G.S. §15A-1468(c)

"If five or more of the eight voting members of the Commission conclude there is **sufficient evidence of factual innocence to merit judicial review**, the case shall be referred..."



#### Files Reviewed



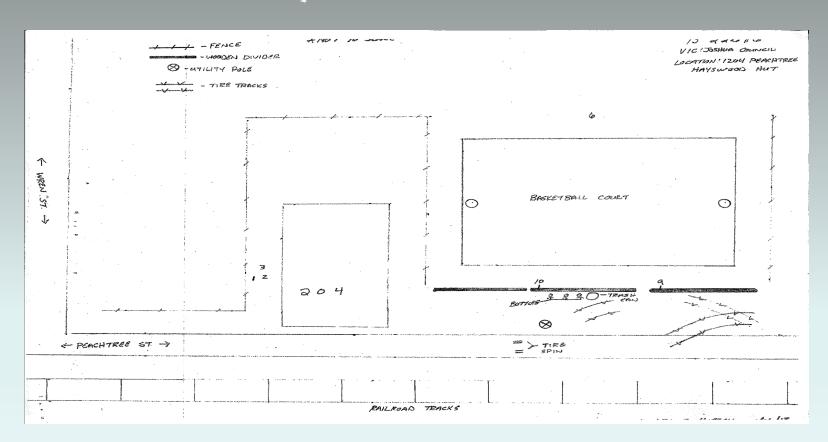
#### **Evidence**



#### **DNA Testing**



# THE NORTH CAROLINA INOCENCE INQUIRY COMMISSION

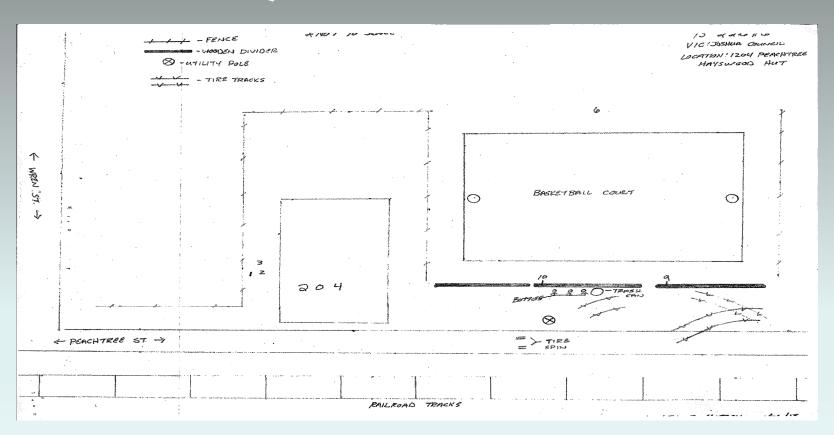




#### **Ballistics**

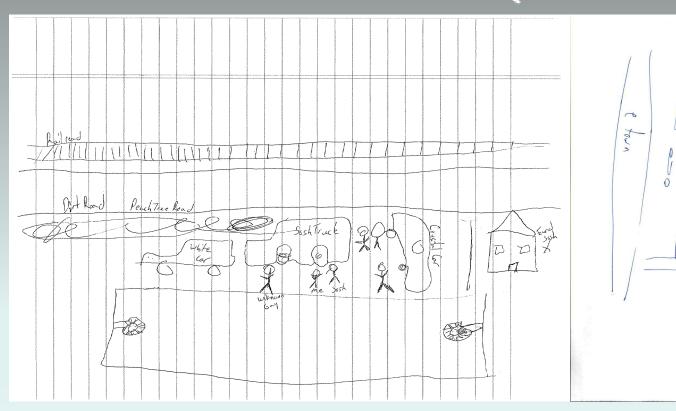


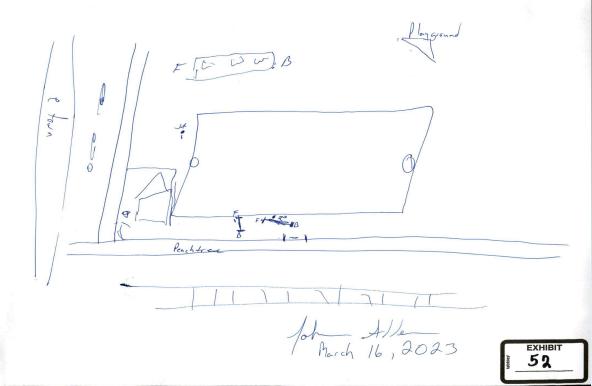
# THE NORTH CAROLINA INOCENCE INQUIRY COMMISSION





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#### **Ballistics**



#### **Gunshot Residue**

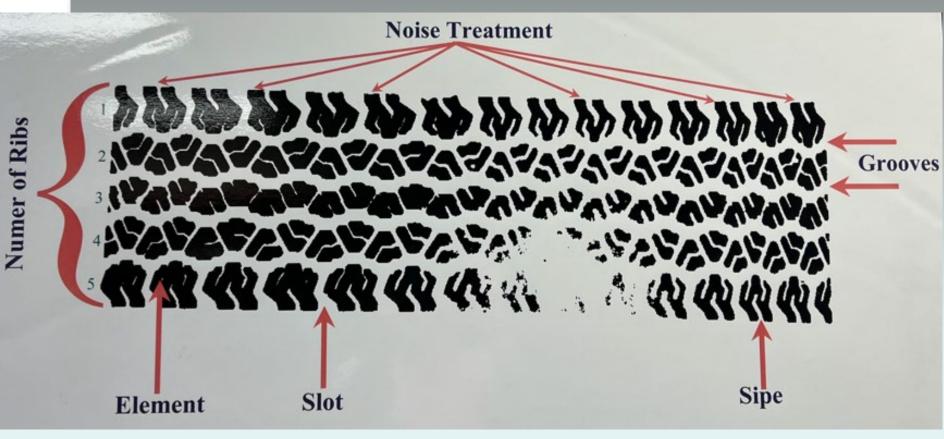


#### **Tire Tracks**

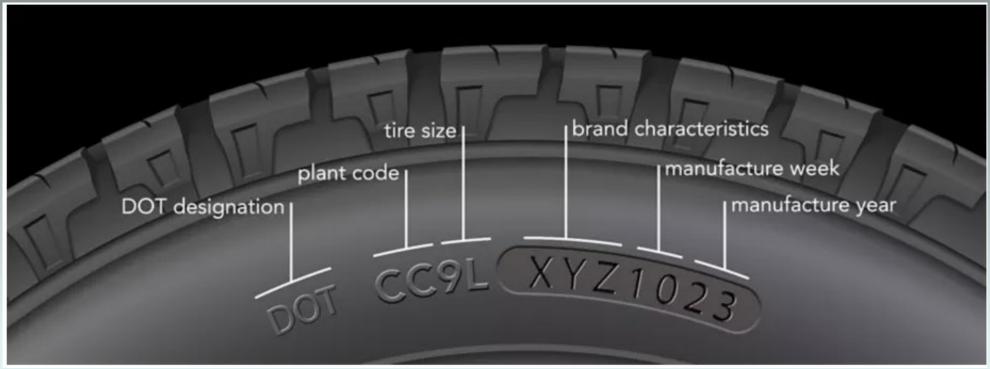


## Karen Morrow NC State Crime Laboratory









If 1,000 tires are produced in the same manufacturing plant and the tires are the same model, size and load range then all 1,000 tires will have exactly the same identical DOT number molded on the sidewall if they were produced during the same week.



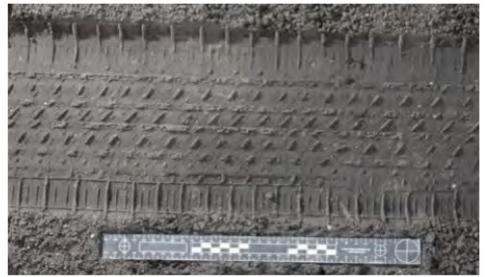
### **Conducting Tire Tread Analysis and Comparison**

### Photography

 General Scene - to document impressions and scene - not for examination

 Examination Quality Photograph - for examination





### Casting



 Use of Dental Stone to fill three dimensional impressions in soil, sand, snow



#### Known Shoe and Tire Impressions

 Known impressions are used to demonstrate repeatability of design, size, wear and individual characteristics and to provide a comparative aid in the examination



- Tire designs are made up of a series of tread blocks.
- These tread blocks vary in size and arrangement around the circumference of a tire to help reduce noise.
- Their combined size and arrangement usually never repeats and is different on each side of the tire.



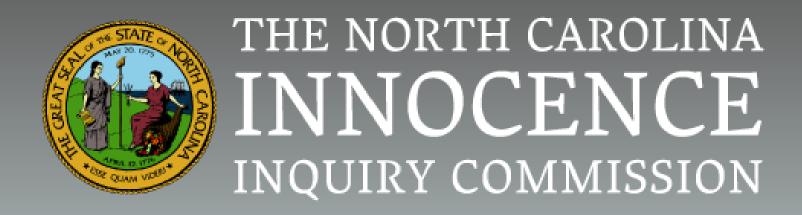
- Each inked impression is passed over the cast to locate areas where the tread block sizes and arrangement correspond.
- When found, the segment of the tire represented by the inked impression is compared directly with that segment of the tire.







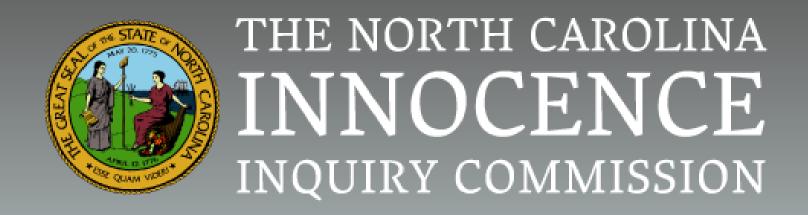
#### **Prosecutor**



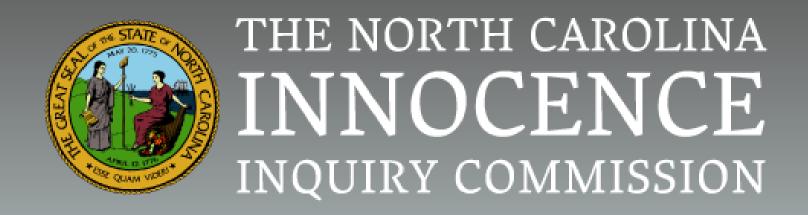
#### **Defense Attorneys**



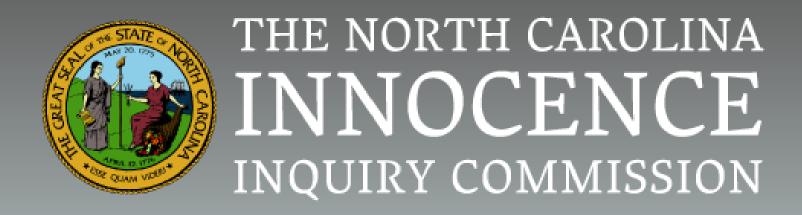
#### Law Enforcement



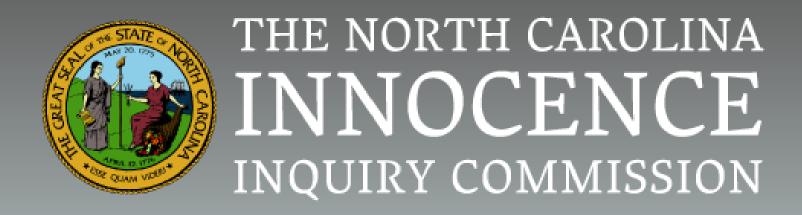
#### Neighborhood Witnesses



#### **The Hut Witnesses**



#### **Alternate Suspects**



#### Joshua Council



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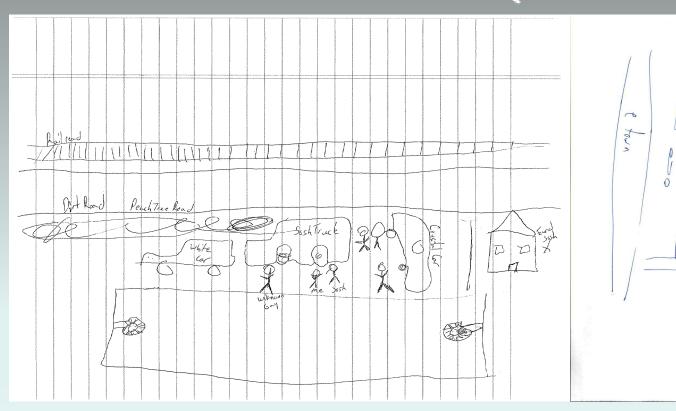
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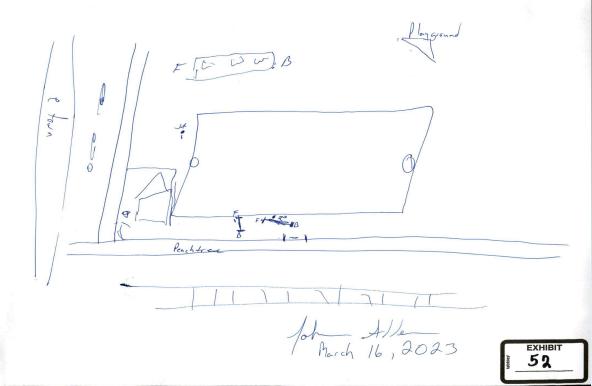


#### John Allen



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#### John Allen



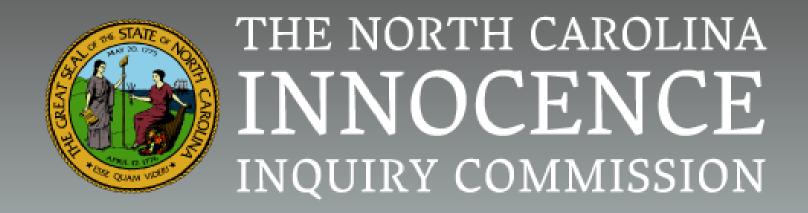
#### Micheal Burgess



#### **Clarence Roberts**



#### **Cellmates**



#### **Timeline and Whereabouts**



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#### **Clarence Roberts**



#### John Allen



#### **Dextor Stephens Probation Records**



Stephens, Dexter	1126853	6/14/13 20:43	6/14/13 20:43	34.57649 -7	78.960703	11	0	10 1231 T P Rd, Lumberton, NC 28358, USA
Stephens, Dexter	1126853	6/14/13 20:44	6/14/13 21:14	34.576522 -7	78.960772	5	0	12 1231 T P Rd, Lumberton, NC 28358, USA
Stephens, Dexter	1126853	6/14/13 21:42	6/14/13 21:47	34.576533 -7	78.961025	6	1	13 1231 T P Rd, Lumberton, NC 28358, USA
Stephens, Dexter	1126853	6/14/13 21:45	6/14/13 21:47	34.576527 -7	78.961003	6	0	11 1231 T P Rd, Lumberton, NC 28358, USA





#### **BI** Incorporated

Report Date: 08/16/2023 17:35

#### Activity Summary Consolidated By County

06/01/2013 00:00 - 06/30/2013 23:59

Client: Stephens, Dexter

Client: Stephens, Dexter

Alert #	Description	Comment	Device ID	Occurred	Received
8	Position Fix Available	<del>*************************************</del>	1126853	15:28	15:28
	Inclusion Zone Leave	HOME (Primary)		15:29	15:29
	Cell Signal Lost		1126853	18:29	19:18
	No Position Fix Available		1126853	18:30	19:18
	Cell Signal Acquired		1126853	19:18	19:18
	Position Fix Available		1126 853	19:18	19:49
	Inclusion Zone Enter	HOME (Primary)		20:43	20:43
	Beacon Enter	(ID: 6314691)	1126853	20:44	20:44



### THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION

Stephens, Dexter Stephens, Dexter 1126853 1126853 6/14/13 18:28 6/14/13 19:19

6/14/13 19:18 34.504607 -79.045664

6/14/13 19:49 34.504569 -79.04567

7 6028 Wire Grass Rd, Orrum, NC 28369, USA

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Report Date: 08/16/2023 17:35



a GG Group Company

#### BI Incorporated

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#### **Opinion**

**State of North Carolina** 

V.

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