

To whom it may concern:

I, Marion Bowman Jr., am a 44-year-old death row prisoner. I've been incarcerated 24 years. I've exhausted all my appeals. I'll soon be scheduled to be shot, electrocuted or drugged to death. My story goes as this:

It was Friday, February 16, 2001. I was a 20-year-old black man, living in Branchville, South Carolina. My family was poor, but we got by. I didn't finish high school. I worked at some manual labor jobs but could never make ends meet. I started selling crack. My day started as usual, rising early. I ran into my lil sister (Yolanda Bowman) and asked her to take me to my friend's house in the Villa Apartments. She said sure. On the way we stopped to get her hair braided and to go to a meat market in Grover, SC. On the way we saw my cousin lil Gap (James Taiwan Gadson) walking toward the apartments and stopped and asked him if he wanted to ride with us and he did.

After being at the apartments for about 30 minutes, Kandee Martin rode by and honked her car horn to get my attention. I knew Kandee for years and occasionally sold her drugs. Kandee and I had been friends since elementary school. She was a year older than me and a white girl, but it never mattered to us. She would stay at our house when she needed to, and we even got threatened about her hanging out with us. We also hooked up sometimes. Kandee was an addict, and I very much regret, and am sorry, for my part in contributing to that. She was a friend of mine, and I still took advantage of her addiction. But I got in the car with her, and sold her drugs several times, throughout the day. Later, she was buying on credit, and then stated, "hold my wristwatch, I'm on my way to pick up my check and I'll bring you the \$ I owe you." I took the watch and put it in my pocket. After she left, I did not see her for the remainder of the time I was at the apartments.

Later me and my friend, Joe, went to Frankie Martin's house. When we got to Frankie's, Kandee's car (a silver Ford Escort) was parked there. I went inside to collect from Frankie, which is why we went there, and talked to Kandee. We ended up hooking up. I forgot to return her watch to her, and she forgot to ask for it. Joe left me at Frankie's because he had to leave. So Kandee took me back to the apartments. She saw Gap (who also sold drugs) and asked me to send him over to her, so I did. He got in Kandee's car with her, and they left.

I walked around a couple neighborhoods hanging out and making money. I decided to walk back to the Villa Apartments. As I was crossing the path that leads to the apartments, someone yelled out. It was Gap and he said "hold up" so I waited on the tracks as he caught up to me and we walked to Ms. Mable's yard. This was around 8pm and an hour after I had last seen Kandee and Gap together. Gap was still driving Kandee's car. Some people talked about going to the club. I decided not to and walked to my home on the hill.

Shortly after I got home my wife stated she was going to get something from my mom or her mom's house (both were in walking distance). My 2 stepsons and their cousin, all small children, were in the home with me at the time. Right after she walked out my dad pulled up and I went outside and spoke to him. He needed my help the next morning to tear down and set posts for his barn. We agreed he'd swing by the next day. Around 10pm I heard a car horn and opened the door and Gap was there in Kandee's car asking me to drive him to the apartments and then to the club. I thought he must have gotten Kandee to let him use her car for a while. I said "no, I told y'all all day I wasn't going there tonight." He said, "please man, you are the only one with a license and they are supposed to have a

roadblock in Bowman.” I gave in and said ok. I told the boys to tell their mom I’d be back in a few minutes and walked out. This was about 10pm.

When we got to the apartments Gap said he needed to “make a run” and would be right back. I hung out with some other friends and waited. After waiting for a good while, about 30-40 minutes, I decided to go buy a beer. I went to Katrina West’s because I knew my sister was there. I asked to borrow my sister’s car and she said OK. My friend Hiram Johnson and I took my sister’s Volkswagen. We saw James (Gap’s dad) and he asked to buy, but needed to go to the store to get change. We took him to the store, then Hiram and I went back to the apartments. Gap came back to the apartments, and I drove Kandee’s car to the club with Gap, Hiram, and Pop (Darian Williams) riding with me.

We got to the club. I parked and then I went over and sat on my sister’s car with Hiram while we drank beer and talked. Gap and Pop went inside. After a while my sister came out of the club saying someone was waving a gun inside. I told her to leave with her friends. Gap and Pop came out and I heard shots go off. I along with Hiram, Pop, and Gap got in Kandee’s car and left behind my sister. I dropped Hiram off at his mom’s house and Pop off at his mom’s house.

When it was just me and Gap, he told me that Kandee was dead. I didn’t believe him or know what to say. Neither of us said anything until we got to the apartments. I lied and told him I had to pee and would get someone else to take me home. I just needed to get out of the car. I was in shock and wish I had acted, I could have done or said something then, but didn’t. He dropped me off and I asked my friend Travis Felder to take me home. He did. That was the last time I saw Felder until my trial.

The next morning, I woke up and the police were at my house. They searched my house and arrested me on February 17, 2001. The only thing they found that day was the watch Kandee had given me. They searched again a day later and found nothing else. Four months later, after my wife had moved out of the house, Hiram told my wife there was a gun in the same chair the police had searched twice already. She found the gun but didn’t call the police. She instead got my sisters and dad involved. Later, when the police were told about the gun they searched the chair again, which by that point was at my sister-in-law’s house, and found a box of ammo. My wife, my sisters, and my dad were all arrested and charged as accessories so then police and the prosecutor, Walter Bailey, could threaten them with jail if they did not make harmful statements against me and testify for the state in my trial.

The Solicitor, Walter Bailey, made an offer to allow me to avoid the death penalty if I would plead guilty and I’d get a life sentence without parole instead. But I was not guilty and would not say I did something I didn’t do. He offered me life 13 times and once even said that I could say “not guilty” and still accept a life sentence, but I wasn’t going to be sentenced for something that I didn’t do.

I was appointed a public defender, Marva Hardee-Thomas. She has since lost her license to be a lawyer. Her superior, Gene Dukes, was appointed to Gap. He was also charged with murder. Ms. Hardee-Thomas walked in a few days after my arrest and said, “Mr. Bowman I’m your PD, would you like to plead guilty?” I said, “Of course not! I didn’t murder anyone!” She responded that Mr. Bailey would seek the death penalty on both me and Gap. She recommended that I plead guilty so I could testify against Gap and get a life sentence. I told her again that I didn’t kill anyone and that I wouldn’t lie against Gap or anyone else either.

In July, Mr. Bailey served notice that he would seek the death penalty and I was appointed a second attorney, Norbert Cummings. Mr. Cummings used to work for Mr. Bailey and has had multiple clients that he defended get the death penalty. He came to the jail and said, "son, you need to plead guilty. You are charged with killing a white girl and you and your family are black. Mr. Bailey is gonna love this." I rarely saw either of my attorneys except for them to tell me to plead guilty even though I always told them I would not plead guilty and that I wanted a trial.

I went to trial in May of 2002. Just a year after I was arrested. We started jury selection on May 13th and after the Jury was sworn, we started the trial on the 17th. I was found guilty on Monday, the 20th. After a 24 hour cooling off period we started penalty phase, and by Wednesday night I was on death row. There were a lot of things the jury didn't know because the prosecutor and my lawyers didn't tell them. First, the State's star witness, Gap, confessed to the murder of Kandee in jail. The jury never heard anything about this. A person in the jail, Ricky Davis, without any connection to the case wrote a statement that Gap confessed that he killed Kandee. Mr. Bailey's investigator even went and talked to him and he told him the same thing. But the jury never heard that because neither the prosecutor nor my lawyers called him or anyone else that heard Gap confess to the stand. Ricky Davis was another client of my attorney, Marva Hardee-Thomas, and she didn't want to call him as a witness, nor did she investigate others in the cell block that heard Gap confess. All the jury heard was Gap, Travis Felder, and Hiram Johnson say I killed Kandee. Gap testified that he saw me kill Kandee, and Travis and Hiram said I told them that I killed Kandee. Gap was charged as a co-defendant, and got his charges reduced to testify against me. Travis Felder, was charged as an accessory and got to go free after he testified against me. Hiram Johnson, had other charges pending against him, but the State lied to the jury and told them that he didn't, he also got his charges dropped. The jury never learned about their motives to lie, and the State admitting that they lied.

Before the jury had convicted me, they never heard that Travis Felder was on camera putting gas into a container just before Kandee's car was set on fire in the middle of the night just a few hours after she was killed. There were also two people talking about killing a girl on the same video tape at the gas station. A video which I am not in, because I wasn't there. They didn't hear this before finding me guilty because no one ever told them. My own attorneys never even watched the video. The jury just heard Travis say he saw me put Kandee's body in the trunk of her car, pour gas on Kandee's car, and set it on fire.

The jury also never knew that out of all the other people charged (Gap – charged with murder; Travis – charged with arson and accessory; and my family – all charged as accessories), they either got charges dropped or didn't have to go to prison. The only person that went to prison was Gap. And he was finished with his sentence a couple years later.

I am not a jurist. I am not claiming to be wiser than those appointed to help me. They were trained professionals. I just don't want to be executed or imprisoned for life for a crime that I didn't commit. I have done some things in life I regret. I regret the role I had in dealing to Kandee and know that her addiction probably led to her death. But I did not do this.

I am so sorry for Kandee and her family, but I did not do it. Her family has suffered a loss that can not be undone. They have been through trials, and appeals, but they have never heard the truth from me. I know this won't bring them satisfaction, but this is my truth.

I have a daughter that was born while I was in jail awaiting trial in Dorchester County, South Carolina. She had my first and only biological grandchild last year. I have three step-grandchildren, as well, that I consider my own. They, along with the rest of my family, mean everything. We talk every day. I can't be with them physically, but I can still be there for them.

Do not take my word for it. Read and research this case for yourself. I am imploring someone to help. You may know someone who knows someone who can help. Only you can answer that question. The prosecutors are not here to help me, only kill me. The only thing I have ever wanted is a fair trial with a lawyer that will listen to me. I am truly grateful for whatever help I can get.

PEACE, LOVE, RESPECT

Sincerely,

Marion Bowman, Jr.

Marion Bowman Jr 006006

Broad River Correctional Inst./SF

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