

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

AFFIDAVIT OF RALPH J. WILSON


PERSONALLY APPEARED before me the undersigned Ralph J. Wilson who after being duly sworn states the following:

1. I am the former elected Solicitor of Horry County; I, previously served for two separate terms
2. I represented James B. Spencer in South Carolina Court proceedings during the years 2000-2001.
3. In connection with this representation, my office drafted and submitted the subpoena request and cover letter, dated August 14, 2000 (Attachment A), to the Horry County Police Department requesting the production of any and all police videotape recordings taken of the arrest of James B. Spencer a/k/a Robert Holt that occurred on August 6, 2000.
4. The subpoena dated August 14, 2000, also required the Horry County Police Department to produce any and all police communication audiotapes, including dispatch communications, pertaining to the arrest on August 6, 2000, of James B. Spencer and dispatch communications recorded on August 5, 2000 during various attempts to file a Uniform Crime Report with Horry County Police on missing property from the home of James. B. Spencer and Doris Holt.
5. As fulfillment of the afore stated subpoena, the Horry County Police Department produced what they alleged to be a complete copy of the police videotape recorded in Horry County Police Officer Chuck McLendon's car.
6. On September 5, 2000 my legal assistant, under my direct instruction and supervision, drafted and hand delivered a written notification (Attachment B) addressed to the Horry County Police Department indicating that the Horry County Police Department had failed to fully comply with the afore stated subpoena in that they failed to produce a copy of the videotape recording taken from Officer Jay Brantley's car from the August 6, 2000 arrest of James B. Spencer and that we were aware such tape existed.
7. In response to the afore stated letter, the Horry County Police Department subsequently produced a copy of the subpoenaed police videotape taken by Horry County Police Officer Brantley.


*RJW*  
5/5/04

EXHIBIT "B"

8. During August and September of the year 2000, I reviewed each of the two police videotapes in their entirety as produced under subpoena in the South Carolina Circuit Court proceedings.
9. I also have reviewed both videotapes of the arrest of James B. Spencer as produced during the proceedings in the Federal District Court.
10. I have compared the tapes from Federal Court with the tapes from State Court as were previously provided under Subpoena as afore stated.
11. The copy of the McLendon videotape produced in Federal District Court contained what appears to be a second police videotape recording from McLendon's car which was not submitted by the Horry County Police Department as required by the subpoena dated August 14, 2000 and which I had never seen nor been provided with prior to the Federal Court proceedings.
12. Further, the copy of the Brantley videotape produced in Federal District Court was missing footage from the beginning and ending sections in comparison with the Brantley police videotape submitted under the subpoena dated August 14, 2000 for State Court.

  
 \_\_\_\_\_  
 Ralph J. Wilson  
 5/5/04  
 \_\_\_\_\_  
 Date

SWORN TO and subscribed before  
me this 5 day of MAY, 2004.

  
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 Notary Public for South Carolina  
 My Commission Expires: 8/6/2012

*Affidavit of Ralph J. Wilson  
In re: James Brian Spencer*

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afternoon of 10-13-04 DAC gets ct. order + instructions  
from Maj. Kael to get tapes to Colo. FBI  
office in 2 days.

morning of 10-14-04 DAC speaks w/ Joe Edison at Colo. FBI  
551-4303 who says call Vince Flamini  
at Florence R.A. [REDACTED]

morning of 10-14 DAC calls Flamini who says he'll  
be in Colo on 15<sup>th</sup> + get the tapes.

morning of 10-15 Flamini says he doesn't think he  
needs "em + asked DAC to find someone who's familiar w/  
Case. DAC looks for Rubin who is in interview in Dallas + Seattle.

12:25 pm DAC calls Flamini who says "mail it to QT. ;  
I'll get you the address."

Joseph Edison  
Femring<sup>™</sup>  
estradiol acetate vaginal ring  
0.05 mg/day, 0.10 mg/day  
12-14-04

Florence R.A. [REDACTED]