

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY)	CIVIL ACTION NO. 2024-CP-26-03798
)	
JENNIFER SPIVEY FOLEY, as)	
Personal Representative of the Estate)	
of SCOTT RYAN SPIVEY,)	
)	
Plaintiff,)	MOTION TO PRODUCE
)	SAMPLES FOR INDEPENDENT
)	EXAMINATION
vs.)	
)	
CHARLES WELDON BOYD and)	
KENNETH WILLIAMS,)	
)	
Defendants.)	
)	

NOW COMES the Defendants, by and through their undersigned counsel, and respectfully request this Honorable Court to order the Horry County Police Department to produce all biological samples collected during the autopsy of Scott Spivey, performed on September 12, 2023, for independent forensic analysis by both parties.

The biological samples obtained during Mr. Spivey's autopsy are pertinent to the ongoing investigation and this litigation regarding the circumstances of his death. Both parties have a right to independently examine the forensic evidence to ensure a fair resolution of this case.

Defendants are entitled to access forensic evidence for independent testing and examination, in accordance with the principles of due process and fundamental fairness. Due process dictates that defendants be given the opportunity to present a complete defense, which includes the ability to obtain evidence in the State's possession for independent analysis. Courts have consistently recognized the importance of access to evidence for independent forensic examination to promote fairness and ensure a just adjudication.

WHEREFORE, the Defendants respectfully request that the Court grant this motion and order the Horry County Police Department to produce and make available the biological samples collected during the autopsy of Scott Spivey on September 12, 2023.

Respectfully Submitted,

/s/ M. O'Bryan Martin
M. O'Bryan Martin (Bar #: 102435)
Attorney for Defendant Bradley Williams

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