

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

Original Jurisdiction

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Aug 22 2025

The State of South Carolina, Petitioner.

S.C. SUPREME COURT

v.

Michael Wilson Pearson, Respondent.

Appellate Case No. 2025-001670

RETURN

Respondent Michael Wilson Pearson (Mr. Pearson), through undersigned counsel (Counsel), hereby joins in the request of the Petitioner that Mr. Pearson be granted a personal recognizance bond (PR bond). While Mr. Pearson joins in asking for the relief, he does so for different reasons than those provided in the Petition.

***Petitioner's Reasons for Granting Bond***

The Attorney General's Office statement that it cannot concede that the allegations in Mr. Pearson's PCR hold legal merit or that Mr. Weldson's statements are credible is the equivalent of saying that the Attorney General's Office lacks confidence in the investigation conducted by the Clarendon County Sheriff's Office. That is concerning on many levels, but particular to this case, because the evidence obtained by the Clarendon County Sheriff's Office's investigation was recognized as being credible when it was relied on to reduce Mr. Weldon's sentence by forty-two years, was relied on by the Solicitor to agree to vacate Mr. Pearson's convictions provided he agreed to give up his rights, and was used to obtain a confession from Leonard Smith, who also provided exculpatory evidence relating to Mr. Pearson.

It is also concerning that while the Attorney General's Office cannot concede to the validity of Mr. Pearson's claims, it is willing to petition for a PR bond "in the interest of justice" and to point out that the petition "does not preclude the Solicitor of the Third Circuit from taking independent action under Rule 29 based upon his own, separate investigation." Presumably, that independent action would be the Solicitor's prior commitment to vacate Mr. Pearson's convictions.

While the Attorney General's Office decision to petition for a PR Bond seems misplaced and, for some reason, influenced by Judge Hood's statement recognizing the obvious strength of Mr. Pearson's PRC and the Clarendon County legislative delegation letter to the Attorney General expressing their concerns, Counsel agrees that a PR Bond is the minimum that should be done in the interest of justice.

### ***Respondent's Reasons for Granting Bond***

Mr. Pearson believes that complete fulfillment of the interests of justice requires that the State, be it the Attorney General's office or the Third Circuit Solicitor, consent and agree to the immediate vacating of his convictions and sentences, together with dismissal of all charges with prejudice.

Pursuant to Judge Hood's August 11, 2025 Discovery Order, the State has now furnished Counsel well over two hundred pages of documents. Those documents, individually and collectively, unquestionably establish the validity of all four of Mr. Pearson's newly discovered evidence claims.<sup>1</sup>

Mr. Pearson certainly should not continue to be a political prisoner while an Attorney General and a Solicitor engage in a debate over who should be the one to admit a wrong has

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<sup>1</sup> The four grounds involve: 1.) Exculpatory evidence obtained by the Clarendon County Sheriff's Department over the period of from 2023 through the present; 2.) The Victor Weldon affidavit; 3.) Solicitor Finney's acknowledgement of Mr. Pearson's innocence; and, 4.) Leonard Smith's confession naming himself, Victor Weldon, and Kevin Mellette as the individuals who assaulted and robbed the victim, just as Victor Weldon has sworn.

occurred and an innocent man deserves justice. Mr. Pearson should immediately be granted a PR Bond and be allowed to reside with his sister, who lives in Hemingway, South Carolina, until the case can be fully resolved, with or without the State's acknowledgement of his innocence.

Respectfully Submitted BY: Christina C. Mumma

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Admitted *Pro Hac Vice*

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This 22nd Day of August, 2025.

Respectfully Submitted BY: James H. Babb

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This 22nd Day of August, 2025.